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Contents

Federal Register

Vol. 82, No. 134

Friday, July 14, 2017

Separate Parts In This Issue

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents electronic mailing list, go to https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new, enter your e-mail address, then follow the instructions to join, leave, or manage your subscription.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

2 CFR

Proposed Rules:

Ch. VI.....32493

3 CFR

Executive Orders:

13761 (Amended by 13804).....32611

13804.....32611

5 CFR

1800.....32447

14 CFR

39.....32447

71.....32450

Proposed Rules:

39 (6 documents).....32494, 32496, 32498, 32501, 32503, 32507

19 CFR

12.....32452

21 CFR

1308.....32453

1310.....32457

22 CFR

Proposed Rules:

Ch. I.....32493

24 CFR

982 (2 documents).....32461, 32463

983 (2 documents).....32461, 32463

28 CFR

Proposed Rules:

Ch. XI.....32493

29 CFR

4022.....32463

33 CFR

117.....32464

165 (4 documents).....32465, 32467, 32469, 32472

Proposed Rules:

Ch. I (5 documents).....32510, 32511, 32513, 32514, 32515

39 CFR

233.....32474

40 CFR

52 (2 documents).....32474, 32480

180.....32482

Proposed Rules:

52.....32517

261.....32519

46 CFR

Ch. I.....32488

Proposed Rules:

Ch. I (5 documents).....32510, 32511, 32513, 32514, 32515

Ch. III (5 documents).....32510, 32511, 32513, 32514, 32515

47 CFR

36.....32489

48 CFR

Proposed Rules:

6.....32493

49 CFR

Proposed Rules:

Ch. IV (5 documents).....32510, 32511, 32513, 32514, 32515

50 CFR

635.....32490

Rules and Regulations

Federal Register
Vol. 82, No. 134
Friday, July 14, 2017

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents.

OFFICE OF SPECIAL COUNSEL

5 CFR Part 1800

[OMB Control No. 3255–0005]

Filing of Complaints of Prohibited Personnel Practices or Other Prohibited Activities and Filing Disclosures of Information

AGENCY: U.S. Office of Special Counsel.

ACTION: Final rule; delay of effective date.

SUMMARY: This document delays the effective date of the final rule and information collection activity published in the June 9, 2017 issue of the **Federal Register**. The U.S. Office of Special Counsel (OSC) will issue a new effective date in due course.

DATES: As of July 14, 2017, the effective date of the final rule published at 82 FR 26739 on June 9, 2017, is delayed indefinitely.

FOR FURTHER INFORMATION CONTACT: Susan K. Ullman, General Counsel, U.S. Office of Special Counsel, by telephone at 202–254–3600, by facsimile at (202) 254–3711, or by email at *sullman@osc.gov.*

SUPPLEMENTARY INFORMATION: On June 9, 2017 (82 FR 26739), OSC published a final rule revising its regulations regarding the filing of complaints and disclosures with OSC and updating OSC's prohibited personnel practice provisions. This document indefinitely delays the effective date of that final rule.

Dated: July 11, 2017.

Bruce Gipe,

Chief Operating Officer.

[FR Doc. 2017–14814 Filed 7–13–17; 8:45 am]

BILLING CODE 7405–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2016–9592; Directorate Identifier 2016–NE–30–AD; Amendment 39–18952; AD 2017–14–08]

RIN 2120–AA64

Airworthiness Directives; CFM International S.A. Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain CFM International S.A. (CFM) CFM56–3, –3B, and –3C turbofan engines. This AD was prompted by a report of dual-engine loss of thrust control (LOTC) that resulted in an air turn back. This AD requires initial and repetitive checks of the variable stator vane (VSV) actuation system in the high-pressure compressor (HPC). We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 18, 2017.

ADDRESSES: For service information identified in this final rule, contact CFM International Inc., Aviation Operations Center, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45125; phone: 877–432–3272; fax: 877–432–3329; email: *aviation.fleetsupport@ge.com.* You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9592.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9592; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: David Bethka, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7129; fax: 781–238–7199; email: *david.bethka@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain CFM CFM56–3, –3B, and –3C turbofan engines. The NPRM published in the **Federal Register** on March 9, 2017 (82 FR 13077). The NPRM was prompted by a report of dual-engine LOTC that resulted in an air turn back. The NPRM proposed to require initial and repetitive checks of the VSV actuation system in the HPC. We are issuing this AD to maintain the actuators ability to fully reach commanded position, and prevent LOTC and reduced control of the airplane.

Comments

We gave the public the opportunity to participate in developing this final rule. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Change Applicability

CFM, Boeing, Anonymous, and Jet2.com requested that the Applicability paragraph be limited to engines operating in the tropical regions specified in CFM Service Bulletin (SB) CFM56–3 S/B 72–1169, rather than fleet-wide. A change of applicability to specific regions would avoid unnecessary burden for operators that do not fly in tropical zones and do not fly less than 150 hours per month.

We disagree. Operators may experience high moisture environments outside of the specified tropical zone that is described in CFM SB CFM56–3 S/B 72–1169. Operators that are outside of the specified tropical zone have experienced restricted VSV movement events. We did not change this AD.

Request To Change Service Information

Milan Pavlovic requested that we include the CFM CFM56–3 Engine Shop Manual (ESM) 72–32–00 procedure for VSV pull force checks, as an acceptable method of compliance, in paragraph (f)(2) of this AD. The change is requested to allow the pull force check at the modular level, using the ESM procedure.

We partially agree. We agree that performing the pull force check of the VSV system per the ESM is acceptable. We disagree with including a statement in paragraph (f)(2) because paragraph (f)(2) does not refer to any service information.

Request To Change Compliance

Milan Pavlovic requested that we allow the replacement of an affected stator case with an HPC stator case (that passes the pull force check) in lieu of a repaired case. The proposed Compliance paragraph (f)(2)(i) states: ''If any stage requires more than 100 lbs. force to move the actuation ring, ream the VSV bores and apply anti-corrosion coating to stage 1, 2 and 3, prior to further flight.'' This statement is interpreted as incorporation of CFM CFM56–3 ESM 72–32–01, Repair 031 is the mandated action and therefore the only acceptable action to satisfy the AD compliance requirements. Would replacement of the stator case assembly with a serviceable stator case assembly, that has not had CFM CFM56–3 ESM 72–32–01, Repair 031 performed, be considered an acceptable alternate action providing the pull force check is performed on the replacement stator case assembly and is found to be less than 75 lbs. in each stage?

The commenter feels that replacement with a stator case that passes the pull force check is an additional action that would satisfy the AD requirements. The replacement case would be subject to the repetitive checks specified in paragraph (f)(3).

We partially agree. We disagree that using any specific service information to comply this AD is mandated. We agree that the installation of a replacement HPC stator case that passes the VSV pull force check with measurements of 75 lbs. or less is acceptable. We changed paragraph (f)(2)(i) of this AD accordingly.

Request To Change Service Information Date

CFM requested that we cite the latest revision date of CFM SB CFM56–3 S/B 72–1169, in the Service Information section.

We agree. The NPRM included an earlier revision date. This AD now references CFM SB CFM56–3 S/B 72–1169, Revision 01, dated November 4, 2016.

Request To Change Service Information Date

CFM requested that we refer to the latest revision of CFM CFM56–3 ESM 72–32–01, Repair 031, in the Service Information section. The latest CFM CFM56–3 ESM 72–32–01, Repair 031, revision is dated December 15, 2016.

We agree. The NPRM referenced an out of date ESM repair. This AD now references CFM CFM56–3 ESM 72–32–01, Repair 031, dated December 15, 2016.

Request To Change Applicability

CFM and Milan Pavlovic noted that early configurations of the CFM56–3 engines were released with titanium HPC stator cases, which are not susceptible to corrosion in VSV bores. An additional commenter asks if the AD should affect steel stator cases only. CFM recommends applicability be noted as CFM56–3 engines with steel HPC cases with P/Ns 1499M30G01, 1499M30G02, 1499M30G03, or 1676M88G01. CFM's experience indicates that the titanium HPC cases do not experience VSV bore corrosion, and therefore do not experience restricted VSV movement due to bore corrosion.

We agree. Titanium HPC cases do not experience restricted VSV movement due to VSV bore corrosion. We changed this AD to specify that it is applicable to CFM56–3, –3B, and –3C turbofan engines with steel HPC stator cases, P/Ns 1499M30G01, 1499M30G02, 1499M30G03, or 1676M88G01, installed.

Request To Change the Unsafe Condition Paragraph

CFM proposes that we change the language in the Discussion section to state that the VSV resistance due to the corrosion may lead to an inability of the actuator to fully reach commanded position. The description should more accurately describe the problem. VSV actuators do not fail due to corrosion, but do exhibit limited range of movement.

We agree. The statement of ''failure of VSV actuators'' is an incomplete description of the problem. We revised the Discussion section and paragraph (e) of this AD to clarify.

Request To Change Related Service Information

CFM requested that we change the Related Service Information section, which highlights that CFM SB CFM56–3 S/B 72–1169, Revision 01, dated November 4, 2016, describes a procedure to examine the VSV bore on the inside of the HPC case. While this is correct, CFM proposes that this section highlight that CFM SB CFM56–3 S/B 72–1169 describes a procedure to check the resistance of the VSV system as this portion of the SB is most relevant.

We agree. This AD requires a pull force check of VSV actuators. We changed the Related Service Information section to state that CFM SB CFM56–3 S/B 72–1169, Revision 01, dated November 4, 2016 describes a procedure to check the resistance of the VSV system.

Request To Allow Special Flight Permits

Boeing recommends allowing a ferry flight instead of requiring repair prior to further flight, if a pull force check exceeds 100 lb on one engine. They stated that a ferry flight should be allowed if take-off rated thrust can be achieved during a ground run, and the sister engine is within SB VSV pull force limits.

We partially agree. We agree with allowing special flight permits because a dual engine LOTC due to VSV restricted movement is unlikely to occur if the sister engine is within the pull force limit. We disagree with changing this AD, because as written, this AD does not limit or prohibit special flight permits. Special flight permits are allowed under 14 CFR 39.23. We did not change this AD.

Request To Change Applicability

A commenter asked why the Bahrain region is not listed as an affected zone for applicability of CFM SB CFM56–3 S/B 72–1169, Revision 01, dated November 4, 2016. The commenter stated that regions other than tropical climate zones listed in the SB may also expose an engine to humid environments.

We agree. We recognize that operation in more than one climate zone may contribute to VSV bore corrosion. However, this AD is applicable to all CFM56–3, –3B, and –3C turbofan engines with a steel HPC stator case, part numbers (P/Ns) 1499M30G01, 1499M30G02, 1499M30G03, or 1676M88G01, installed, regardless of their operating environment. We did not change this AD.

Support for the NPRM

The Air Line Pilots Association expressed support for the NPRM as written.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this final rule with the changes described previously. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this final rule.

Related Service Information

We reviewed CFM SB CFM56–3 S/B 72–1169, Revision 01, dated November 4, 2016. This SB describes a procedure to check the resistance of the VSV system. We also reviewed CFM CFM56–3 ESM 72–32–01, Repair 031, dated December 15, 2016. This ESM repair describes procedures for reaming and applying anti-corrosion paint to the VSV bores.

Costs of Compliance

We estimate that this AD affects 460 engines installed on airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection of the HPC VSV actuation system	2 work-hours × $85 per hour = $170	$0	$170	$78,200

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2017–14–08 CFM International S.A.: Amendment 39–18952; Docket No. FAA–2016–9592; Directorate Identifier 2016–NE–30–AD.

(a) Effective Date

This AD is effective August 18, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to CFM International S.A. (CFM) CFM56–3, –3B, and –3C turbofan engines with steel high-pressure compressor (HPC) stator case, part numbers (P/Ns)1499M30G01, 1499M30G02, 1499M30G03, or 1676M88G01, installed.

(d) Subject

Joint Aircraft System Component (JASC) Code 7230, Turbine Engine Compressor Section.

(e) Unsafe Condition

This AD was prompted by a report of dual engine loss of thrust control (LOTC) that resulted in an air turn back. We are issuing this AD to maintain the actuators ability to fully reach commanded position, and prevent LOTC and reduced control of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done. Within 12 months after the effective date of this AD:

(1) Inspect the affected engines to determine if the compressor front stator case is marked with ''RP031'' adjacent to the part number. If the case is marked with ''RP031,'' no further action is required. If the case is not marked with ''RP031,'' follow the remaining steps in paragraph (f) of this AD.

(2) Perform an initial pull force check of stage 1, stage 2, and stage 3 of the compressor variable stator vane (VSV) actuation system.

(i) If any stage requires more than 100 lb force to move the actuation ring, ream the VSV bores and apply anti-corrosion coating to stages 1, 2, and 3, prior to further flight, or replace with an HPC stator case that is eligible for installation and passes the VSV pull force check with measurements of 75 lb or less.

(ii) If any stage requires more than 75 lb, but less than or equal to 100 lb force to move the actuation ring, repeat the inspection within 3 months since last inspection.

(iii) If all stages require 75 lb force or less to move the actuation rings, repeat the inspection within 12 months since last inspection.

(3) Thereafter, continue to perform repetitive pull force checks of stages 1, 2, and 3 of the compressor VSV actuation system and disposition as specified in paragraphs (2)(i) through (iii) of this AD.

(g) Optional Terminating Action

Reaming the VSV bores and applying anti-corrosion coating, as specified in paragraph

(f)(2)(i) of this AD, is terminating action to the repetitive inspections required by paragraph (f)(3) of this AD.

(h) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: *ANE-AD-AMOC@faa.gov.*

(i) Related Information

(1) For more information about this AD, contact David Bethka, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7129; fax: 781–238–7199; email: *david.bethka@faa.gov.*

(2) CFM Service Bulletin CFM56–3 S/B 72–1169, Revision 01, dated November 4, 2016; and CFM CFM56–3 Engine Shop Manual 72–32–01, Repair 031, dated December 15, 2016, can be obtained from CFM using the contact information in paragraph (i)(3) of this proposed AD.

(3) For service information identified in this AD, contact CFM International Inc., Aviation Operations Center, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45125; phone: 877–432–3272; fax: 877–432–3329; email: *aviation.fleetsupport@ge.com.*

(4) You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on July 6, 2017.

Robert J. Ganley,

Acting Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2017–14545 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–9544; Airspace Docket No. 16–ASW–22]

Amendment of Class D and E Airspace for the Following Texas Towns; Sherman, TX; and Temple, TX, and Establishment of Class E Airspace, Temple, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action: Amends Class D airspace at North Texas Regional Airport/Perrin Field, Sherman, TX; amends Class E airspace designated as a surface area at Draughon-Miller Central Texas Regional Airport, Temple, TX; amends Class E airspace extending upward from 700 feet above the surface at North Texas Regional Airport/Perrin Field, and Draughon-Miller Central Texas Regional Airport; and establishes Class E airspace designated as an extension at Draughon-Miller Central Texas Regional Airport. Cancellation of standard instrument approach procedures at these airports has made this action necessary for the safety and management of Instrument Flight Rules (IFR) operations at these airports. Additionally, geographic coordinates, names of airports, and a navigation aid are being adjusted to coincide with the FAA's aeronautical database.

DATES: Effective 0901 UTC, October 12, 2017. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call (202) 741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends Class D airspace at North Texas Regional Airport/Perrin Field, Sherman, TX; Class E airspace designated as a surface area at Draughon-Miller Central Texas Regional Airport, Temple, TX; Class E airspace extending upward from 700 feet above the surface at North Texas Regional Airport/Perrin Field and Draughon-Miller Central Texas Regional Airport; and establishes Class E airspace designated as an extension at Draughon-Miller Central Texas Regional Airport, in support IFR operations at these airports.

History

On April 20, 2017, the FAA published in the **Federal Register** (82 FR 18596) Docket No. FAA–2016–9544, a notice of proposed rulemaking (NPRM) to amend Class D airspace at North Texas Regional Airport/Perrin Field, Sherman, TX; amend Class E airspace designated as a surface area at Draughon-Miller Central Texas Regional Airport, Temple, TX; amend Class E airspace extending upward from 700 feet above the surface at North Texas Regional Airport/Perrin Field and Draughon-Miller Central Texas Regional Airport; and establish Class E airspace designated as an extension at Draughon-Miller Central Texas Regional Airport. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D and E airspace designations are published in paragraph 5000, 6002, 6004, and 6005, respectively, of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies:

Class D airspace within a 4.7-mile radius (reduced from a 5.0-mile radius) at North Texas Regional Airport/Perrin Field (formerly Grayson County Airport), Sherman/Denison, TX, and updates the name of the airport to coincide with the FAA's aeronautical database;

Class E airspace designated as a surface area within a 4.2-mile radius (increased from a 4.1-mile radius) at Draughon-Miller Central Texas Regional Airport (formerly Draughon-Miller Municipal Airport), Temple, TX, eliminating the extension southeast of the airport, and updates the name and geographic coordinates of the airport to coincide with the FAA's aeronautical database;

Class E airspace extending upward from 700 feet above the surface:

Within a 7.2-mile radius (increased from a 6.9-mile radius) of North Texas Regional Airport/Perrin Field (formerly Grayson County Airport), Sherman/Denison, TX, and updates the name and geographic coordinates of the airport to coincide with the FAA's aeronautical database;

Within a 6.7-mile radius of Draughon-Miller Central Texas Regional Airport (formerly Draughon-Miller Municipal Airport), Temple, TX, eliminates the extensions north and southeast of the airport, amends the extension northwest of the airport from the 6.7-mile radius to 14.4 miles (reduced from 19.5 miles), adds an extension south of the airport from the 6.7-mile radius to 10.1 miles, adds an extension southwest of the airport from the 6.7-mile radius to 9.7 miles, and updates the name and geographic coordinates of the airport and the name of the Draughon-Miller Central Texas Regional Localizer (formerly Draughon-Miller Localizer) to coincide with the FAA's aeronautical database;

And establishes Class E airspace designated as an extension to Class E surface airspace within a 4.2-mile radius of Draughon-Miller Central Texas Regional Airport, Temple, TX, with an extension southeast 7.7 miles.

Cancellation of standard instrument approach procedures at these airports prompted the FAA to conduct a review of the airspace. Controlled airspace is necessary for the safety and management of standard instrument approach procedures for IFR operations at these airports.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

ASW TX D Sherman, TX [Amended]

Sherman/Denison, North Texas Regional Airport/Perrin Field, TX
(Lat. 33°42′51″ N., long. 96°40′25″ W.)

That airspace extending upward from the surface to and including 3,300 feet MSL within a 4.7-mile radius of North Texas Regional Airport/Perrin Field. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6002 Class E Airspace Designated as Surface Areas.

* * * * *

ASW TX E2 Temple, TX [Amended]

Temple, Draughon-Miller Central Texas Regional Airport, TX
(Lat. 31°09′07″ N., long. 97°24′28″ W.)

Within a 4.2-mile radius of Draughon-Miller Central Texas Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6004 Class E Airspace Designated as an Extension to Class E Surface Airspace.

* * * * *

ASW TX E4 Temple, TX [New]

Temple, Draughon-Miller Central Texas Regional Airport, TX
(Lat. 31°09′07″ N., long. 97°24′28″ W.)
Temple VOR
(Lat. 31°12′34″ N., long. 97°25′30″ W.)

The airspace extending upward from the surface 1.4 miles either side of the 157° radial of the Temple VOR extending from the 4.2-mile radius to 7.7 miles southeast of Draughon-Miller Central Texas Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASW TX E5 Sherman, TX [Amended]

Sherman/Denison, North Texas Regional Airport/Perrin Field, TX
(Lat. 33°42′51″ N., long. 96°40′25″ W.)
Sherman Municipal Airport, TX
(Lat. 33°37′27″ N., long. 96°35′10″ W.)

That airspace extending upward from 700 feet above the surface within a 7.2-mile radius of North Texas Regional Airport/Perrin Field, and within a 6.4-mile radius of Sherman Municipal Airport.

* * * * *

ASW TX E5 Temple, TX [Amended]

Temple, Draughon-Miller Central Texas Regional Airport, TX
(Lat. 31°09′07″ N., long. 97°24′28″ W.)
Draughon-Miller Central Texas Regional Localizer
(Lat. 31°08′20″ N., long. 97°24′16″ W.)
Temple VOR
(Lat. 31°12′34″ N., long. 97°25′30″ W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Draughon-Miller Central Texas Regional Airport, and within 4 miles either side of the 157° radial of the Temple VOR extending from the 6.7-mile radius to 10.1 miles south of the airport, and within 2 miles either side of the 201° bearing from the airport from the 6.7-mile radius to 9.7 miles southwest of the airport, and within 4 miles either side of the 336° bearing of the Draughon-Miller Central Texas Regional Localizer extending from the 6.7-mile radius to 14.4 miles northwest of the airport.

Issued in Fort Worth, Texas, on July 5, 2017.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2017–14716 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

DEPARTMENT OF THE TREASURY

19 CFR Part 12

[CBP Dec. 17–07]

RIN 1515–AE31

Extension of Import Restrictions Imposed on Archaeological Objects and Ecclesiastical and Ritual Ethnological Materials From Cyprus

AGENCY: U.S. Customs and Border Protection; Department of Homeland Security; Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the U.S. Customs and Border Protection (CBP) regulations to reflect an extension of import restrictions on Pre-Classical and Classical archaeological objects, and Byzantine and post-Byzantine ecclesiastical and ritual ethnological materials from Cyprus. The restrictions, which were originally imposed by Treasury Decision 02–37, and last extended by CBP Dec. 12–13, are due to expire on July 16, 2017. The Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has determined that conditions continue to warrant the imposition of import restrictions. Accordingly, these import restrictions will remain in effect for an additional five years, and the CBP regulations are being amended to reflect this extension through July 16, 2022. These restrictions are being extended pursuant to determinations of the United States Department of State made under the terms of the Convention on Cultural Property Implementation Act in accordance with the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. CBP Dec. 12–13 contains the Amended Designated List of all archaeological objects and Byzantine and Post-Byzantine ecclesiastical and ritual ethnological materials from Cyprus, to which the restrictions apply.

DATES: Effective July 16, 2017.

FOR FURTHER INFORMATION CONTACT: For regulatory aspects, Lisa L. Burley, Chief, Cargo Security, Carriers and Restricted Merchandise Branch, Regulations and Rulings, Office of Trade, (202) 325–0215. For operational aspects, William R. Scopa, Branch Chief, Partner Government Agency Branch, Trade Policy and Programs, Office of Trade, (202) 863–6554, *William.R.Scopa@cbp.dhs.gov.*

SUPPLEMENTARY INFORMATION:

Background

Pursuant to the provisions of the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention, codified into U.S. law as the Convention on Cultural Property Implementation Act (hereinafter, ''the Cultural Property Implementation Act'' or ''the Act'') (Pub. L. 97–446, 19 U.S.C. 2601 *et seq.*), the United States entered into a bilateral agreement with the Republic of Cyprus on July 16, 2002, to impose import restrictions on certain archaeological materials representing the Pre-Classical and Classical periods ranging in date from approximately the 8th Millennium B.C. to approximately 330 A.D. of Cyprus (''the 2002 Agreement''). On July 19, 2002, the former United States Customs Service (U.S. Customs and Border Protection's predecessor agency) published Treasury Decision (T.D.) 02–37 in the **Federal Register** (67 FR 47447), which amended 19 CFR 12.104g(a) to reflect the imposition of these restrictions and included a list designating the types of articles covered by the restrictions. These restrictions were to be effective through July 16, 2007.

On August 17, 2006, the Republic of Cyprus and the United States amended the 2002 Agreement (covering Pre-Classical and Classical archeological materials) to include a list of Byzantine ecclesiastical and ritual ethnological materials dating from approximately the 4th century A.D. through approximately the 15th century A.D. that had been (and, at that time, were still) protected pursuant to an emergency action which was published in the **Federal Register** (64 FR 17529) on April 12, 1999. The amendment of the 2002 Agreement to cover both the archaeological materials and the ethnological materials was reflected in CBP Dec. 06–22, which was published in the **Federal Register** (71 FR 51724) on August 31, 2006. CBP Dec. 06–22 contains the list of Byzantine ecclesiastical and ritual ethnological materials from Cyprus previously protected pursuant to the emergency action and announced that import restrictions, as of August 31, 2006, were imposed on this cultural property pursuant to the amended Agreement (19 U.S.C. 2603(c)(4)). Thus, as of that date, the import restrictions covering materials described in CBP Dec. 06–22 were set to be effective through July 16, 2007.

On July 13, 2007, CBP published CBP Dec. 07–52 in the **Federal Register** (72 FR 38470) which further extended the import restrictions to July 16, 2012. The Designated List was published with this decision.

On July 13, 2012, CBP published CBP Dec. 12–13 in the **Federal Register** (77 FR 41266), effective on July 16, 2012, amending CBP regulations to reflect the extension of import restrictions and also to cover Post-Byzantine ecclesiastical and ritual ethnological materials ranging from approximately 1500 A.D. to approximately 1850 A.D. of Cyprus. The amended Designated List was published with the decision in CBP Dec. 12–13, which includes the unrevised list of covered archaeological objects, as well as Byzantine and post-Byzantine ecclesiastical and ritual ethnological materials. The import restrictions are due to expire on July 16, 2017.

On August 1, 2012, CBP published a correcting amendment to CBP Dec. 12–13 in the **Federal Register** (77 FR 45479) as the amended Designated List and the regulatory text in that document contained language which was inadvertently not consistent with the rest of the document as to the historical period that the import restrictions cover for ecclesiastical and ritual ethnological materials from Cyprus.

Import restrictions listed in the Code of Federal Regulations (CFR) at 19 CFR 12.104g(a) are effective for no more than five years beginning on the date on which the agreement enters into force

with respect to the United States. This period may be extended for additional periods of not more than five years if it is determined that the factors which justified the initial agreement still pertain and no cause for suspension of the agreement exists. (19 CFR 12.104g(a)).

On July 12, 2016, the Department of State received a request by the Republic of Cyprus to extend the Agreement. The Department of State proposed to extend the import restrictions for an additional five years in a notice published in the **Federal Register** (81 FR 52946) on August 10, 2016. On March 22, 2017, the Assistant Secretary for Educational and Cultural Affairs, State Department, after consultation with and recommendations by the Cultural Property Advisory Committee, determined that the cultural heritage of Cyprus continues to be in jeopardy from pillage of certain archaeological objects and certain ethnological materials and that the import restrictions should be extended for an additional five-year period to July 16, 2022. Diplomatic notes have been exchanged reflecting the extension of those restrictions for an additional five-year period. Accordingly, CBP is amending 19 CFR 12.104g(a) to reflect the extension of the import restrictions.

The Amended Designated List of archaeological objects and Byzantine and post-Byzantine ecclesiastical and ritual ethnological materials is set forth in CBP Dec. 12–13. The herein mentioned Agreements and the Designated List and amended Designated Lists may be found at the following Web site address: *https://eca.state.gov/cultural-heritage-center/cultural-property-protection/bilateral-agreements* by clicking on ''Cyprus.''

The restrictions on the importation of these archaeological, and ecclesiastical and ritual ethnological materials from Cyprus are to continue in effect through July 16, 2022. Importation of such materials from Cyprus continues to be restricted through that date unless the conditions set forth in 19 U.S.C. 2606 and 19 CFR 12.104c are met.

Inapplicability of Notice and Delayed Effective Date

This amendment involves a foreign affairs function of the United States and is, therefore, being made without notice or public procedure under 5 U.S.C. 553(a)(1). In addition, CBP has determined that such notice or public procedure would be impracticable and contrary to the public interest because the action being taken is essential to avoid interruption of the application of the existing import restrictions (5 U.S.C. 553(b)(B)). For the same reason, a delayed effective date is not required under 5 U.S.C. 553(d)(3).

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

Executive Orders 12866 and 13771

Because this rule involves a foreign affairs function of the United States, it is not subject to either Executive Order 12866 or Executive Order 13771.

Signing Authority

This regulation is being issued in accordance with 19 CFR 0.1(a)(1).

List of Subjects in 19 CFR Part 12

Cultural property, Customs duties and inspection, Imports, Prohibited merchandise.

Amendment to CBP Regulations

For the reasons set forth above, part 12 of title 19 of the Code of Federal Regulations (19 CFR part 12), is amended as set forth below:

PART 12—SPECIAL CLASSES OF MERCHANDISE

■ 1. The general authority citation for part 12 and the specific authority citation for § 12.104g continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)), 1624;

* * * * *

Sections 12.104 through 12.104i also issued under 19 U.S.C. 2612;

* * * * *

§ 12.104g [Amended]

■ 2. In § 12.104g, paragraph (a), the table is amended in the entry for ''Cyprus'' by adding the words ''extended by CBP Dec. 17–07'' after the words ''CBP Dec. 12–13'' in the column headed ''Decision No.''.

Kevin K. McAleenan,

Acting Commissioner, U.S. Customs and Border Protection.

Approved: July 11, 2017.

Timothy E. Skud,

Deputy Assistant Secretary of the Treasury.

[FR Doc. 2017–14822 Filed 7–13–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–460]

Schedules of Controlled Substances: Temporary Placement of Acryl Fentanyl Into Schedule I

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Temporary scheduling order.

SUMMARY: The Administrator of the Drug Enforcement Administration is issuing this temporary scheduling order to schedule the synthetic opioid, *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacrylamide (acryl fentanyl *or* acryloylfentanyl), and its isomers, esters, ethers, salts and salts of isomers, esters, and ethers, into Schedule I. This action is based on a finding by the Administrator that the placement of acryl fentanyl into Schedule I of the Controlled Substances Act is necessary to avoid an imminent hazard to the public safety. As a result of this order, the regulatory controls and administrative, civil, and criminal sanctions applicable to Schedule I controlled substances will be imposed on persons who handle (manufacture, distribute, reverse distribute, import, export, engage in research, conduct instructional activities or chemical analysis, or possess), or propose to handle, acryl fentanyl.

DATES: This temporary scheduling order is effective July 14, 2017, until July 15, 2019, unless it is extended for an additional year or a permanent scheduling proceeding is completed. The DEA will publish a document in the **Federal Register** announcing an extension or permanence.

FOR FURTHER INFORMATION CONTACT: Michael J. Lewis, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152; Telephone: (202) 598–6812.

SUPPLEMENTARY INFORMATION:

Legal Authority

Section 201 of the Controlled Substances Act (CSA), 21 U.S.C. 811, provides the Attorney General with the authority to temporarily place a substance into Schedule I of the CSA for two years without regard to the requirements of 21 U.S.C. 811(b) if he finds that such action is necessary to avoid an imminent hazard to the public safety. 21 U.S.C. 811(h)(1). In addition, if proceedings to control a substance are

initiated under 21 U.S.C. 811(a)(1), the Attorney General may extend the temporary scheduling [1] for up to one year. 21 U.S.C. 811(h)(2).

Where the necessary findings are made, a substance may be temporarily scheduled if it is not listed in any other schedule under section 202 of the CSA, 21 U.S.C. 812, or if there is no exemption or approval in effect for the substance under section 505 of the Federal Food, Drug, and Cosmetic Act (FDCA), 21 U.S.C. 355. 21 U.S.C. 811(h)(1). The Attorney General has delegated scheduling authority under 21 U.S.C. 811 to the Administrator of the DEA. 28 CFR 0.100.

Background

Section 201(h)(4) of the CSA, 21 U.S.C. 811(h)(4), requires the Administrator to notify the Secretary of the Department of Health and Human Services (HHS) of his intention to temporarily place a substance into Schedule I of the CSA.[2] The Administrator transmitted the notice of intent to place acryl fentanyl into Schedule I on a temporary basis to the Assistant Secretary by letter dated April 17, 2017. The Assistant Secretary responded to this notice by letter dated May 2, 2017, and advised that based on review by the Food and Drug Administration (FDA), there are currently no investigational new drug applications or approved new drug applications for acryl fentanyl. The Assistant Secretary also stated that the HHS has no objection to the temporary placement of acryl fentanyl into Schedule I of the CSA. The DEA has taken into consideration the Assistant Secretary's comments as required by 21 U.S.C. 811(h)(4). Acryl fentanyl is not currently listed in any schedule under the CSA, and no exemptions or approvals are in effect for acryl fentanyl under section 505 of the FDCA, 21 U.S.C. 355. The DEA has found that the control of acryl fentanyl in Schedule I on a temporary basis is necessary to avoid an imminent hazard to the public safety, and as required by 21 U.S.C. 811(h)(1)(A), a notice of intent to issue a temporary order to schedule acryl fentanyl was published in the **Federal Register** on June 2, 2017. 82 FR 25564.

To find that placing a substance temporarily into Schedule I of the CSA is necessary to avoid an imminent hazard to the public safety, the Administrator is required to consider three of the eight factors set forth in section 201(c) of the CSA, 21 U.S.C. 811(c): The substance's history and current pattern of abuse; the scope, duration and significance of abuse; and what, if any, risk there is to the public health. 21 U.S.C. 811(h)(3). Consideration of these factors includes actual abuse, diversion from legitimate channels, and clandestine importation, manufacture, or distribution. 21 U.S.C. 811(h)(3).

A substance meeting the statutory requirements for temporary scheduling may only be placed into Schedule I. 21 U.S.C. 811(h)(1). Substances in Schedule I are those that have a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision. 21 U.S.C. 812(b)(1).

Available data and information for acryl fentanyl, summarized below, indicate that this synthetic opioid has a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision. The DEA's three-factor analysis, and the Assistant Secretary's May 2, 2017, letter, are available in their entirety under the tab ''Supporting Documents'' of the public docket of this action at *www.regulations.gov* under FDMS Docket ID: DEA–2017–0005 (Docket Number DEA–460).

Factor 4. History and Current Pattern of Abuse

The recreational abuse of fentanyl-like substances continues to be a significant concern. These substances are distributed to users, often with unpredictable outcomes. Acryl fentanyl has recently been encountered by law enforcement and public health officials and the adverse health effects and outcomes are demonstrated by fatal overdose cases. The documented negative effects of acryl fentanyl are consistent with those of other opioids.

On October 1, 2014, the DEA implemented STARLiMS (a web-based, commercial laboratory information management system) to replace the System to Retrieve Information from Drug Evidence (STRIDE) as its laboratory drug evidence data system of record. DEA laboratory data submitted after September 30, 2014, are reposited in STARLiMS. Data from STRIDE and STARLiMS were queried on May 5, 2017. STARLiMS registered 36 reports containing acryl fentanyl, from Alabama, Connecticut, Illinois, Indiana, Kentucky, Louisiana, Minnesota, Missouri, North Carolina, South Carolina, Tennessee, Texas, and West Virginia. According to STARLiMS, the first laboratory submission of acryl fentanyl occurred in July 2016 in Texas.

The National Forensic Laboratory Information System (NFLIS) is a national drug forensic laboratory reporting system that systematically collects results from drug chemistry analyses conducted by other federal, state and local forensic laboratories across the country. NFLIS registered 74 reports containing acryl fentanyl from state or local forensic laboratories in Arkansas, California, Connecticut, Iowa, Kentucky, Ohio, Pennsylvania, South Carolina, Texas, and Wisconsin (query date: May 5, 2017).[3] The first report of acryl fentanyl was reported in Wisconsin in May 2016. The DEA is not aware of any laboratory identifications of acryl fentanyl prior to 2016.

Evidence suggests that the pattern of abuse of fentanyl analogues, including acryl fentanyl, parallels that of heroin and prescription opioid analgesics. Seizures of acryl fentanyl have been encountered in powder form, in solution, and packaged similar to that of heroin. Acryl fentanyl has been encountered as a single substance as well as in combination with other substances of abuse, including heroin, fentanyl, 4-fluoroisobutyryl fentanyl, and furanyl fentanyl. Acryl fentanyl has been connected to fatal overdoses, in which insufflation and intravenous routes of administration were documented.

Factor 5. Scope, Duration and Significance of Abuse

Reports collected by the DEA demonstrate acryl fentanyl is being abused for its opioid properties. This abuse of acryl fentanyl has resulted in morbidity and mortality (*see* DEA 3-Factor Analysis for full discussion). The DEA has received reports for at least 83 confirmed fatalities associated with acryl fentanyl. Information on these deaths, occurring as early as September 2016, was collected by the DEA from post-mortem toxicology and medical examiner reports. These deaths were reported from, and occurred in, Illinois (27), Maryland (22), New Jersey (1),

[1] Though DEA has used the term ''final order'' with respect to temporary scheduling orders in the past, this document adheres to the statutory language of 21 U.S.C. 811(h), which refers to a ''temporary scheduling order.'' No substantive change is intended.

[2] As discussed in a memorandum of understanding entered into by the Food and Drug Administration (FDA) and the National Institute on Drug Abuse (NIDA), the FDA acts as the lead agency within the HHS in carrying out the Secretary's scheduling responsibilities under the CSA, with the concurrence of NIDA. 50 FR 9518, Mar. 8, 1985. The Secretary of the HHS has delegated to the Assistant Secretary for Health of the HHS the authority to make domestic drug scheduling recommendations. 58 FR 35460, July 1, 1993.

[3] Data are still being collected for February 2017–April 2017 due to the normal lag period for labs reporting to NFLIS.

Ohio (31), and Pennsylvania (2). NFLIS and STARLiMS have a total of 110 drug reports in which acryl fentanyl was identified in drug exhibits submitted to forensic laboratories in 2016 and 2017 from law enforcement encounters in Alabama, Arkansas, California, Connecticut, Illinois, Indiana, Iowa, Kentucky, Louisiana, Minnesota, Missouri, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, and Wisconsin. It is likely that the prevalence of acryl fentanyl in opioid analgesic-related emergency room admissions and deaths is underreported as standard immunoassays may not differentiate this substance from fentanyl.

The population likely to abuse acryl fentanyl overlaps with the population abusing prescription opioid analgesics, heroin, fentanyl, and other fentanyl-related substances. This is evidenced by the routes of drug administration and drug use history documented in acryl fentanyl fatal overdose cases and encounters of the substance by law enforcement officials. Because abusers of acryl fentanyl are likely to obtain this substance through unregulated sources, the identity, purity, and quantity are uncertain and inconsistent, thus posing significant adverse health risks to the end user. Individuals who initiate (*i.e.,* use a drug for the first time) acryl fentanyl abuse are likely to be at risk of developing substance use disorder, overdose, and death similar to that of other opioid analgesics (*e.g.,* fentanyl, morphine, etc.).

Factor 6. What, if Any, Risk There Is to the Public Health

Acryl fentanyl exhibits pharmacological profiles similar to that of fentanyl and other μ-opioid receptor agonists. The toxic effects of acryl fentanyl in humans are demonstrated by overdose fatalities involving this substance. Abusers of acryl fentanyl may not know the origin, identity, or purity of this substance, thus posing significant adverse health risks when compared to abuse of pharmaceutical preparations of opioid analgesics, such as morphine and oxycodone.

Based on information reviewed by the DEA, the misuse and abuse of acryl fentanyl leads to the same qualitative public health risks as heroin, fentanyl and other opioid analgesic substances. As with any non-medically approved opioid, the health and safety risks for users are high. The public health risks attendant to the abuse of heroin and opioid analgesics are well established and have resulted in large numbers of drug treatment admissions, emergency department visits, and fatal overdoses.

Acryl fentanyl has been associated with numerous fatalities. At least 83 confirmed overdose deaths involving acryl fentanyl abuse have been reported from Illinois, Maryland, New Jersey, Ohio, and Pennsylvania in 2016 and 2017. As the data demonstrates, the potential for fatal and non-fatal overdoses exists for acryl fentanyl; thus, acryl fentanyl poses an imminent hazard to the public safety.

Finding of Necessity of Schedule I Placement To Avoid Imminent Hazard to Public Safety

In accordance with 21 U.S.C. 811(h)(3), based on the data and information summarized above, the continued uncontrolled manufacture, distribution, reverse distribution, importation, exportation, conduct of research and chemical analysis, possession, and abuse of acryl fentanyl pose an imminent hazard to the public safety. The DEA is not aware of any currently accepted medical uses for this substance in treatment in the United States. A substance meeting the statutory requirements for temporary scheduling, 21 U.S.C. 811(h)(1), may only be placed into Schedule I. Substances in Schedule I are those that have a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision. Available data and information for acryl fentanyl indicate that this substance has a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision. As required by section 201(h)(4) of the CSA, 21 U.S.C. 811(h)(4), the Administrator, through a letter dated April 17, 2017, notified the Assistant Secretary of the DEA's intention to temporarily place this substance into Schedule I. A notice of intent was subsequently published in the **Federal Register** on June 2, 2017. 82 FR 25564.

Conclusion

In accordance with the provisions of section 201(h) of the CSA, 21 U.S.C. 811(h), the Administrator considered available data and information, herein sets forth the grounds for his determination that it is necessary to temporarily schedule acryl fentanyl into Schedule I of the CSA, and finds that placement of this synthetic opioid into Schedule I of the CSA is necessary to avoid an imminent hazard to the public safety.

Because the Administrator hereby finds it necessary to temporarily place this synthetic opioid into Schedule I to avoid an imminent hazard to the public safety, this temporary order scheduling acryl fentanyl will be effective on the date of publication in the **Federal Register**, and will be in effect for a period of two years, with a possible extension of one additional year, pending completion of the regular (permanent) scheduling process. 21 U.S.C. 811(h)(1) and (2).

The CSA sets forth specific criteria for scheduling a drug or other substance. Permanent scheduling actions in accordance with 21 U.S.C. 811(a) are subject to formal rulemaking procedures done ''on the record after opportunity for a hearing'' conducted pursuant to the provisions of 5 U.S.C. 556 and 557. 21 U.S.C. 811. The permanent scheduling process of formal rulemaking affords interested parties with appropriate process and the government with any additional relevant information needed to make a determination. Final decisions that conclude the permanent scheduling process of formal rulemaking are subject to judicial review. 21 U.S.C. 877. Temporary scheduling orders are not subject to judicial review. 21 U.S.C. 811(h)(6).

Requirements for Handling

Upon the effective date of this temporary order, acryl fentanyl will become subject to the regulatory controls and administrative, civil, and criminal sanctions applicable to the manufacture, distribution, reverse distribution, importation, exportation, engagement in research, and conduct of instructional activities or chemical analysis with, and possession of Schedule I controlled substances including the following:

1. *Registration.* Any person who handles (manufactures, distributes, reverse distributes, imports, exports, engages in research, or conducts instructional activities or chemical analysis with, or possesses), or who desires to handle, acryl fentanyl must be registered with the DEA to conduct such activities pursuant to 21 U.S.C. 822, 823, 957, and 958 and in accordance with 21 CFR parts 1301 and 1312, as of July 14, 2017. Any person who currently handles acryl fentanyl, and is not registered with the DEA, must submit an application for registration and may not continue to handle acryl fentanyl as of July 14, 2017, unless the DEA has approved that application for registration pursuant to 21 U.S.C. 822, 823, 957, 958, and in accordance with 21 CFR parts 1301 and 1312. Retail sales

of Schedule I controlled substances to the general public are not allowed under the CSA. Possession of any quantity of this substance in a manner not authorized by the CSA on or after July 14, 2017 is unlawful and those in possession of any quantity of this substance may be subject to prosecution pursuant to the CSA.

2. *Disposal of stocks.* Any person who does not desire or is not able to obtain a Schedule I registration to handle acryl fentanyl, must surrender all quantities of currently held acryl fentanyl.

3. *Security.* Acryl fentanyl is subject to Schedule I security requirements and must be handled and stored pursuant to 21 U.S.C. 821, 823, 871(b), and in accordance with 21 CFR 1301.71–1301.93, as of July 14, 2017.

4. *Labeling and packaging.* All labels, labeling, and packaging for commercial containers of acryl fentanyl must be in compliance with 21 U.S.C. 825, 958(e), and be in accordance with 21 CFR part 1302. Current DEA registrants shall have 30 calendar days from July 14, 2017, to comply with all labeling and packaging requirements.

5. *Inventory.* Every DEA registrant who possesses any quantity of acryl fentanyl on the effective date of this order must take an inventory of all stocks of this substance on hand, pursuant to 21 U.S.C. 827 and 958, and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11. Current DEA registrants shall have 30 calendar days from the effective date of this order to be in compliance with all inventory requirements. After the initial inventory, every DEA registrant must take an inventory of all controlled substances (including acryl fentanyl) on hand on a biennial basis, pursuant to 21 U.S.C. 827 and 958, and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11.

6. *Records.* All DEA registrants must maintain records with respect to acryl fentanyl pursuant to 21 U.S.C. 827 and 958, and in accordance with 21 CFR parts 1304, 1312, 1317, and § 1307.11. Current DEA registrants shall have 30 calendar days from the effective date of this order to be in compliance with all recordkeeping requirements.

7. *Reports.* All DEA registrants who manufacture or distribute acryl fentanyl must submit reports pursuant to 21 U.S.C. 827 and in accordance with 21 CFR parts 1304 and 1312 as of July 14, 2017.

8. *Order Forms.* All DEA registrants who distribute acryl fentanyl must comply with order form requirements pursuant to 21 U.S.C. 828 and in accordance with 21 CFR part 1305 as of July 14, 2017.

9. *Importation and Exportation.* All importation and exportation of acryl fentanyl must be in compliance with 21 U.S.C. 952, 953, 957, 958, and in accordance with 21 CFR part 1312 as of July 14, 2017.

10. *Quota.* Only DEA registered manufacturers may manufacture acryl fentanyl in accordance with a quota assigned pursuant to 21 U.S.C. 826 and in accordance with 21 CFR part 1303 as of July 14, 2017.

11. *Liability.* Any activity involving acryl fentanyl not authorized by, or in violation of the CSA, occurring as of July 14, 2017, is unlawful, and may subject the person to administrative, civil, and/or criminal sanctions.

Regulatory Matters

Section 201(h) of the CSA, 21 U.S.C. 811(h), provides for a temporary scheduling action where such action is necessary to avoid an imminent hazard to the public safety. As provided in this subsection, the Attorney General may, by order, schedule a substance in Schedule I on a temporary basis. Such an order may not be issued before the expiration of 30 days from (1) the publication of a notice in the **Federal Register** of the intention to issue such order and the grounds upon which such order is to be issued, and (2) the date that notice of the proposed temporary scheduling order is transmitted to the Assistant Secretary. 21 U.S.C. 811(h)(1).

Inasmuch as section 201(h) of the CSA directs that temporary scheduling actions be issued by order and sets forth the procedures by which such orders are to be issued, the DEA believes that the notice and comment requirements of the Administrative Procedure Act (APA) at 5 U.S.C. 553, do not apply to this temporary scheduling action. In the alternative, even assuming that this action might be subject to 5 U.S.C. 553, the Administrator finds that there is good cause to forgo the notice and comment requirements of 5 U.S.C. 553, as any further delays in the process for issuance of temporary scheduling orders would be impracticable and contrary to the public interest in view of the manifest urgency to avoid an imminent hazard to the public safety.

Further, the DEA believes that this temporary scheduling action is not a ''rule'' as defined by 5 U.S.C. 601(2), and, accordingly, is not subject to the requirements of the Regulatory Flexibility Act. The requirements for the preparation of an initial regulatory flexibility analysis in 5 U.S.C. 603(a) are not applicable where, as here, the DEA is not required by the APA or any other law to publish a general notice of proposed rulemaking.

Additionally, this action is not a significant regulatory action as defined by Executive Order 12866 (Regulatory Planning and Review), section 3(f), and, accordingly, this action has not been reviewed by the Office of Management and Budget (OMB).

This action will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132 (Federalism) it is determined that this action does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

As noted above, this action is an order, not a rule. Accordingly, the Congressional Review Act (CRA) is inapplicable, as it applies only to rules. However, if this were a rule, pursuant to the Congressional Review Act, ''any rule for which an agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the federal agency promulgating the rule determines.'' 5 U.S.C. 808(2). It is in the public interest to schedule this substance immediately to avoid an imminent hazard to the public safety. This temporary scheduling action is taken pursuant to 21 U.S.C. 811(h), which is specifically designed to enable the DEA to act in an expeditious manner to avoid an imminent hazard to the public safety. 21 U.S.C. 811(h) exempts the temporary scheduling order from standard notice and comment rulemaking procedures to ensure that the process moves swiftly. For the same reasons that underlie 21 U.S.C. 811(h), that is, the DEA's need to move quickly to place this substance into Schedule I because it poses an imminent hazard to the public safety, it would be contrary to the public interest to delay implementation of the temporary scheduling order. Therefore, this order shall take effect immediately upon its publication. The DEA has submitted a copy of this temporary order to both Houses of Congress and to the Comptroller General, although such filing is not required under the Small Business Regulatory Enforcement Fairness Act of 1996 (Congressional Review Act), 5 U.S.C. 801–808 because, as noted above, this action is an order, not a rule.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control,

Reporting and recordkeeping requirements.

For the reasons set out above, the DEA amends 21 CFR part 1308 as follows:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

■ 1. The authority citation for part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b), unless otherwise noted.

■ 2. Amend § 1308.11 by adding paragraph (h)(17) to read as follows:

§ 1308.11 Schedule I

* * * * *

(h) * * *

(17) *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacrylamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: acryl fentanyl, acryloylfentanyl) ..... (9811)

* * * * *

Dated: July 10, 2017.

Chuck Rosenberg

Acting Administrator.

[FR Doc. 2017–14880 Filed 7–13–17; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1310

[Docket No. DEA–379]

RIN 1117–ZA04

Designation of Alpha-Phenylacetoacetonitrile (APAAN), a Precursor Chemical Used in the Illicit Manufacture of Phenylacetone, Methamphetamine, and Amphetamine, as a List I Chemical

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Final rule.

SUMMARY: The Drug Enforcement Administration (DEA) is finalizing the designation of the chemical alpha-phenylacetoacetonitrile (APAAN) and its salts, optical isomers, and salts of optical isomers, as a list I chemical under the Controlled Substances Act (CSA). The DEA proposed control of APAAN, due to its use in clandestine laboratories to illicitly manufacture the schedule II controlled substances phenylacetone (also known as phenyl-2-propanone or P2P), methamphetamine, and amphetamine. This rulemaking finalizes, without change, the control of APAAN as a list I chemical.

This action does not establish a threshold for domestic and international transactions of APAAN. As such, all transactions involving APAAN, regardless of size, shall be regulated. In addition, chemical mixtures containing APAAN are not exempt from regulatory requirements at any concentration. Therefore, all transactions of chemical mixtures containing any quantity of APAAN shall be regulated pursuant to the CSA. However, manufacturers may submit an application for exemption for those mixtures that do not qualify for automatic exemption.

DATES: *Effective date:* August 14, 2017.

FOR FURTHER INFORMATION CONTACT: Michael J. Lewis, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152; Telephone: (202) 598–6812.

SUPPLEMENTARY INFORMATION:

Legal Authority

The Controlled Substances Act (CSA) gives the Attorney General the authority to specify, by regulation, chemicals as list I or list II chemicals. 21 U.S.C. 802 (34) and (35). A ''list I chemical'' is a chemical that is used in manufacturing a controlled substance in violation of title II of the CSA, and is important to the manufacture of the controlled substance. 21 U.S.C. 802(34). A ''list II chemical'' is a chemical (other than a list I chemical) that is used in manufacturing a controlled substance in violation of title II of the CSA. 21 U.S.C. 802(35). The current list of all listed chemicals is published at 21 CFR 1310.02. Pursuant to 28 CFR 0.100(b), the Attorney General has delegated his authority to designate list I and list II chemicals to the Administrator of the Drug Enforcement Administration.

In addition, the United States is a Party to the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988 Convention). When the United States receives notification that a chemical has been added to Table I or Table II of the 1988 Convention pursuant to article 12, the United States is required to take measures it deems appropriate to monitor the manufacture and distribution of that chemical within the United States and to prevent its diversion. In addition, the 1988 Convention requires the United States to take other specified measures related to that chemical, including measures related to its international trade.

Background

By a letter dated April 9, 2014, the Secretary-General of the United Nations informed the United States Government that the chemical alpha-phenylacetoacetonitrile (APAAN) was added to Table I of the 1988 Convention. This letter was prompted by a March 19, 2014, decision at the 57th Session of the United Nations Commission on Narcotic Drugs (CND) to add APAAN to Table I. As a Party to the 1988 Convention, the United States is obligated, pursuant to article 12, to take measures it deems appropriate to monitor the manufacture and distribution of APAAN within the United States and to prevent its diversion. Article 12 also obligates the United States to take other specified measures related to APAAN, including measures related to its international trade. By designating APAAN, which is a primary precursor for the manufacture of phenylacetone (also known as phenyl-2-propanone (P2P) or benzyl methyl ketone), methamphetamine, and amphetamine, as a list I chemical, the United States will fulfill its obligations under the 1988 Convention.

Designation of APAAN and Its Salts, Optical Isomers, and Salts of Optical Isomers as a List I Chemical

On December 12, 2016, DEA published a Notice of Proposed Rulemaking (NPRM) proposing control of APAAN, due to its use in clandestine laboratories to illicitly manufacture the schedule II controlled substances phenylacetone (also known as phenyl-2-propanone or P2P), methamphetamine, and amphetamine. 81 FR 89402. In response to the NPRM, only one comment was received. This comment was supportive of the DEA's proposed control of APAAN. As such, this rulemaking finalizes the control of APAAN as a list I chemical.

On the effective date of this final rule, handlers of APAAN shall be subject to the chemical regulatory provisions of the CSA, including 21 CFR parts 1309, 1310, 1313, and 1316. Since even a small amount of APAAN can make a significant amount of P2P, this action does not establish a threshold for domestic and import transactions of APAAN in accordance with the provisions of 21 CFR 1310.04(g). Therefore, all APAAN transactions, regardless of size, will be regulated

transactions as defined in 21 CFR 1300.02(b). As such, all APAAN transactions will be subject to recordkeeping, reporting, import and export controls, and other CSA chemical regulatory requirements. In addition, each regulated bulk manufacturer shall submit manufacturing, inventory, and use data on an annual basis.

Chemical Mixtures of APAAN

Under this final rulemaking, chemical mixtures containing APAAN shall not be exempt from regulatory requirements at any concentration, unless an application for exemption of a chemical mixture is submitted by an APAAN manufacturer, and the application is reviewed and accepted and the mixture exempted by the DEA under 21 CFR 1310.13. Therefore, all chemical mixtures containing any quantity of APAAN shall be subject to CSA control, unless the APAAN manufacturer is granted an exemption by the application process in accordance with 21 CFR 1310.13. This rule modifies the ''Table of Concentration Limits'' in 21 CFR 1310.12(c) to reflect the fact that chemical mixtures containing any amount of APAAN are subject to CSA chemical control provisions.

Exemption by Application Process

The DEA has implemented an application process to exempt certain chemical mixtures from the requirements of the CSA and its implementing regulations. 21 CFR 1310.13. Manufacturers may submit an application for exemption for those mixtures that do not qualify for automatic exemption. Exemption status may be granted if the DEA determines that the mixture is formulated in such a way that it cannot be easily used in the illicit production of a controlled substance, and that the listed chemical or chemicals cannot be readily recovered. 21 CFR 1310.13(a)(1)–(2).

Requirements for Handling List I Chemicals

The designation of APAAN as a list I chemical shall subject APAAN handlers (manufacturers, distributors, importers, and exporters) to all of the regulatory controls and administrative, civil, and criminal actions applicable to the manufacture, distribution, importing, and exporting of a list I chemical. Upon publication of this final rule, persons handling APAAN, including regulated chemical mixtures containing APAAN, shall be required to comply with the following list I chemical regulations:

1. *Registration.* Any person who manufactures, distributes, imports, or exports APAAN, or proposes to engage in the manufacture, distribution, importation, or exportation of APAAN, must obtain a registration pursuant to 21 U.S.C. 822, 823, 957, 958. Regulations describing registration for list I chemical handlers are set forth in 21 CFR part 1309.

Upon publication of this final rule, any person manufacturing, distributing, importing, or exporting APAAN or a chemical mixture containing APAAN will become subject to the registration requirement under the CSA. The DEA recognizes, however, that it is not possible for persons who are subject to the registration requirement to immediately complete and submit an application for registration and for the DEA to immediately issue registrations for those activities. Therefore, to allow continued legitimate commerce in APAAN, the DEA is establishing in 21 CFR 1310.09, a temporary exemption from the registration requirement for persons desiring to engage in activities with APAAN, provided that the DEA receives a properly completed application for registration or exemption of a chemical mixture on or before August 14, 2017. The temporary exemption for such persons will remain in effect until the DEA takes final action on their application for registration or application for exemption of a chemical mixture.

The temporary exemption applies solely to the registration requirement; all other chemical control requirements, including recordkeeping and reporting, would become effective on the effective date of this final rule. Therefore, all transactions of APAAN and chemical mixtures containing APAAN will be regulated while an application for registration or exemption is pending. This is necessary because not regulating these transactions could result in increased diversion of chemicals desirable to drug traffickers.

Additionally, the temporary exemption does not suspend applicable federal criminal laws relating to APAAN, nor does it supersede State or local laws or regulations. All handlers of APAAN must comply with applicable State and local requirements in addition to the CSA regulatory controls.

2. *Records and Reports.* Every DEA registrant must maintain records and reports with respect to APAAN pursuant to 21 U.S.C. 830 and in accordance with 21 CFR part 1310. Pursuant to 21 CFR 1310.04, a record must be made and maintained for two years after the date of a transaction involving a listed chemical, provided the transaction is a regulated transaction.

Each regulated bulk manufacturer of a listed chemical must submit manufacturing, inventory, and use data on an annual basis. 21 CFR 1310.05(d). Existing standard industry reports containing the required information will be acceptable, provided the information is separate or readily retrievable from the report.

21 CFR 1310.05(a) requires that each regulated person shall report to the DEA any regulated transaction involving an extraordinary quantity of a listed chemical, an uncommon method of payment or delivery, or any other circumstance that the regulated person believes may indicate that the listed chemical will be used in violation of the CSA and its corresponding regulations. Regulated persons are also required to report any proposed regulated transaction with a person whose description or other identifying characteristic the Administration has previously furnished to the regulated person; any unusual or excessive loss or disappearance of a listed chemical under the control of the regulated person; any in-transit loss in which the regulated person is the supplier; and any domestic regulated transaction in a tableting or encapsulating machine.

3. *Importation and Exportation.* All importation and exportation of APAAN must comply with 21 U.S.C. 957, 958, and 971 and be in accordance with 21 CFR part 1313.

4. *Security.* All applicants and registrants must provide effective controls against theft and diversion in accordance with 21 CFR 1309.71–1309.73.

5. *Administrative Inspection.* Places, including factories, warehouses, or other establishments and conveyances, where registrants or other regulated persons may lawfully hold, manufacture, distribute, or otherwise dispose of a list I chemical or where records relating to those activities are maintained, are controlled premises as defined in 21 U.S.C. 880(a) and 21 CFR 1316.02(c). The CSA (21 U.S.C. 880) allows for administrative inspections of these controlled premises as provided in 21 CFR part 1316, subpart A.

6. *Liability.* Any activity involving APAAN not authorized by, or in violation of, the CSA, will be unlawful, and may subject the person to administrative, civil, and/or criminal action.

Regulatory Analyses

Executive Orders 12866 and 13563

This final rulemaking, which adds APAAN as a list I chemical, has been developed in accordance with the

principles of Executive Orders 12866 and 13563. The DEA followed the principles of these Executive Orders, even though it has been determined that this action is not a significant regulatory action.

To determine whether this action is a significant regulatory action, the DEA utilized a least cost option analysis. At the outset, the DEA determined that the primary costs of this rule would come from complying with the registration, recordkeeping, reporting, and export and import requirements set forth in the CSA. Therefore, under the least cost option, an entity would choose to discontinue the sale of APAAN if proceeds from the sale are less than the cost of complying with the rule.

The DEA has not identified any industrial uses of APAAN by domestic entities and its potential usage appears to be limited to research. Based on independent research following a 2013 United Nations Questionnaire/Survey on APAAN, the DEA identified three entities that have each imported APAAN. Two of the three entities had average annual sales of APAAN totaling $13 during the analysis period. The third entity had average annual sales of APAAN totaling $1,440 during the same period. Other chemical distributors list APAAN in their chemical catalogs. However, these entities do not manufacture APAAN, instead opting to purchase APAAN from international sources to fill special orders. These entities do not stock APAAN in inventory and the vast majority had no previous sales of APAAN.

The registration fee for importers of a list I chemical is $1,523 per year. Based on the least cost option, these three entities would choose to discontinue the sale of APAAN because complying with the rule is more costly. Thus, the annual economic impact of the rule is $1,467 (total annual sales of APAAN from the three affected entities). Therefore, this is evidence that this rule will not have an annual effect on the economy of $100 million or more and is not a significant regulatory action.

Executive Order 13771

Executive Order 13771, titled ''Reducing Regulation and Controlling Regulatory Costs,'' was issued on January 30, 2017 and published in the **Federal Register** on February 3, 2017. 82 FR 9339. Section 2(a) of Executive Order 13771 requires an agency, unless prohibited by law, to identify at least two existing regulations to be repealed when the agency publicly proposes for notice and comment or otherwise promulgates a new regulation. In furtherance of this requirement, section 2(c) of Executive Order 13771 requires that the new incremental costs associated with new regulations, to the extent permitted by law, be offset by the elimination of existing costs associated with at least two prior regulations. The interim guidance from the Office of Management and Budget (OMB), issued on February 2, 2017, explains that for Fiscal Year 2017 the above requirements only apply to each new ''significant regulatory action that imposes costs.'' Because the DEA has determined that this final rulemaking is not a ''significant regulatory action,'' the requirements of Executive Order 13771 have not been triggered.

Executive Order 12988

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988 to eliminate drafting errors and ambiguity, minimize litigation, provide a clear legal standard for affected conduct, and promote simplification and burden reduction.

Executive Order 13132

This rulemaking does not have federalism implications warranting the application of Executive Order 13132. The rule does not have substantial direct effects on the States, on the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government.

Executive Order 13175

This rule does not have tribal implications warranting the application of Executive Order 13175. It does not have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Regulatory Flexibility Act

The Acting Administrator, in accordance with the Regulatory Flexibility Act (RFA), 5 U.S.C. 601–612, has reviewed this rule and by approving it certifies that it will not have a significant economic impact on a substantial number of small entities. The purpose of this rule is to designate APAAN as a list I chemical under the CSA. No less restrictive measures (*i.e.,* non-control or control in list II) would enable the DEA to meet its statutory obligation under the CSA and its international obligations of the 1988 Convention. The DEA estimates that this rule affects three small entities. As discussed above, the DEA compared the dollar value of APAAN sales to the cost of registration. Further, the DEA assumed that if the cost of registration is more than the dollar value of APAAN sales, then each entity would discontinue the sale of APAAN.

Two entities earned $13 in annual sales of APAAN while the third entity earned $1,440 in annual sales of APAAN. The cost of registration alone is $1,523 for each entity. Therefore, the DEA anticipates that each entity will discontinue the sale of APAAN because the cost of compliance is greater than the annual sales. As a result, the annual economic impact of the rule is $1,467.

Using 1% of annual revenue as the criteria for significant economic impact, the DEA estimates that none of the three small entities will experience a significant economic impact. The cost of the rule as a percentage of annual revenue for the three entities is, 0.00044%, 0.00036%, and 0.038%, respectively, which is less than 1% of the entities' annual income. Therefore, the rule will not have a significant effect on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

On the basis of information contained in the ''Regulatory Flexibility Act'' section above, the DEA has determined and certifies pursuant to the Unfunded Mandates Reform Act (UMRA) of 1995, 2 U.S.C. 1501 *et seq.,* that this action would not result in any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more (adjusted for inflation) in any one year. Therefore, neither a Small Government Agency Plan nor any other action is required under provisions of the UMRA of 1995.

Paperwork Reduction Act

This action does not impose a new collection of information requirement under the Paperwork Reduction Act of 1995. 44 U.S.C. 3501–3521. The DEA does not anticipate that it will receive new registration applications for the purpose of engaging in transactions involving this chemical. The transactions in this chemical of which the DEA is aware are very small, and it does not appear to the DEA that it would be economically justifiable because DEA believes there is no legitimate market for manufacturing or engaging in commercial transactions in this chemical. This action would not impose recordkeeping or reporting requirements on State or local governments, individuals, businesses, or organizations. An agency may not

conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Congressional Review Act

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996 (Congressional Review Act). This rule will not result in an annual effect on the economy of $100 million or more. It will not cause a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of the United States-based companies to compete with foreign based companies in domestic and export markets. However, the DEA has submitted a copy of this final rule to both Houses of Congress and to the Comptroller General.

List of Subjects in 21 CFR Part 1310

Drug traffic control, Exports, Imports, Reporting and recordkeeping requirements.

Accordingly, for the reasons set forth in the preamble, part 1310 of title 21 of the Code of Federal Regulations is amended as follows:

PART 1310—RECORDS AND REPORTS OF LISTED CHEMICALS AND CERTAIN MACHINES; IMPORTATION AND EXPORTATION OF CERTAIN MACHINES

■ 1. The authority citation for part 1310 continues to read as follows:

Authority: 21 U.S.C. 802, 827(h), 830, 871(b), 890.

■ 2. Amend § 1310.02 by redesignating paragraphs (a)(1) through (a)(30) as paragraphs (a)(2) through (a)(31), respectively, and adding a new paragraph (a)(1) to read as follows:

§ 1310.02 Substances covered.

* * * * *

(a) * * *

(1) Alpha-phenylacetoacetonitrile and its salts, optical isomers, and salts of optical isomers (APAAN) 8512

* * * * *

■ 3. Amend § 1310.04 by redesignating paragraphs (g)(1)(i) through (g)(1)(x) as paragraphs (g)(1)(ii) through (g)(1)(xi), respectively, and adding a new paragraph (g)(1)(i) to read as follows:

§ 1310.04 Maintenance of records.

* * * * *

(g) * * *

(1) * * *

(i) Alpha-phenylacetoacetonitrile and its salts, optical isomers, and salts of optical isomers (APAAN)

* * * * *

■ 4. Amend § 1310.09 by adding paragraph (n) to read as follows:

§ 1310.09 Temporary exemption from registration.

* * * * *

(n)(1) Each person required under sections 302 and 1007 of the Act (21 U.S.C. 822, 957) to obtain a registration to manufacture, distribute, import, or export regulated alpha-phenylacetoacetonitrile (APAAN) and its salts, optical isomers, and salts of optical isomers, including regulated chemical mixtures pursuant to § 1310.12, is temporarily exempted from the registration requirement, provided that the DEA receives a properly completed application for registration or application for exemption for a chemical mixture containing alpha-phenylacetoacetonitrile (APAAN) and its salts, optical isomers, and salts of optical isomers, pursuant to § 1310.13 on or before August 14, 2017. The exemption will remain in effect for each person who has made such application until the Administration has approved or denied that application. This exemption applies only to registration; all other chemical control requirements set forth in the Act and parts 1309, 1310, 1313, and 1316 of this chapter remain in full force and effect.

(2) Any person who manufactures, distributes, imports or exports a chemical mixture containing alpha-phenylacetoacetonitrile (APAAN) and its salts, optical isomers, and salts of optical isomers whose application for exemption is subsequently denied by the DEA must obtain a registration with the DEA. A temporary exemption from the registration requirement will also be provided for those persons whose applications for exemption are denied, provided that the DEA receives a properly completed application for registration on or before 30 days following the date of official DEA notification that the application for exemption has been denied. The temporary exemption for such persons will remain in effect until the DEA takes final action on their registration application.

■ 5. Amend § 1310.12(c) by adding in alphabetical order an entry ''Alpha-phenylacetoacetonitrile, and its salts, optical isomers, and salts of optical isomers. (APAAN)'' in the table ''Table of Concentration Limits'' to read as follows:

§ 1310.12 Exempt chemical mixtures.

* * * * *

(c) * * *

TABLE OF CONCENTRATION LIMITS

	DEA chemical code No.	Concentration	Special conditions
* * * * * * *			
Alpha-phenylacetoacetonitrile, and its salts, optical isomers, and salts of opticali isomers.((APAAN).	8512	Not exempt at any concentration	Chemical mixtures containing any amount of APAAN are not exempt.
* * * * * * *			

* * * * *

Dated: July 10, 2017.

Chuck Rosenberg,

Acting Administrator.

[FR Doc. 2017–14878 Filed 7–13–17; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 982 and 983

[Docket No. FR–5976–C–06]

Housing Opportunity Through Modernization Act of 2016: Implementation of Various Section 8 Voucher Provisions; Correction

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Implementation and request for comments; correction.

SUMMARY: On January 18, 2017, HUD published a document in the **Federal Register** making several Housing Choice Voucher (HCV) provisions of the Housing Opportunity Through Modernization Act of 2016 (HOTMA) effective and requesting comment. This document makes technical corrections to the January 18, 2017, document.

DATES: *Effective date:* The effective date for the implementation guidance of April 18, 2017 is unchanged.

FOR FURTHER INFORMATION CONTACT: With respect to this supplementary document, contact Ariel Pereira, Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, 451 7th Street SW., Room 10238, Washington, DC 20410; telephone number 202–708–1793 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800–877–8339.

Please direct all questions about the January 18, 2017 document to *HOTMAquestionsPIH@hud.gov.*

SUPPLEMENTARY INFORMATION

I. Background Information

On July 29, 2016, HOTMA was signed into law (Pub. L. 114–201, 130 Stat. 782). HOTMA made numerous changes to statutes that govern HUD programs, including section 8 of the United States Housing Act of 1937 (1937 Act) (42 U.S.C. 1437f). HUD issued a notice on October 24, 2016, at 81 FR 73030, announcing to the public which of the statutory changes made by HOTMA could be implemented immediately, and which statutory changes required further guidance from HUD before owners, public housing agencies (PHAs), or other grantees may use the new statutory provisions.

On January 18, 2017, HUD published a second document at 82 FR 5458, making multiple HOTMA provisions impacting the HCV program effective and requesting comments. Several of the comments pointed out the need for technical corrections or clarifications to the January 18, 2017, implementation document. This document makes several technical corrections and clarifications to the January 18, 2017, implementation document, in part based on the public comments. HUD also received comments recommending changes that were not technical corrections or clarifications, but rather suggested alternative approaches to implementing the HOTMA provisions. HUD will take those comments under consideration.

II. Explanation of Corrections

A. Units Owned by a PHA (HOTMA § 105)—Controlling Interest

HOTMA amended section 8(o) of the 1937 Act to provide a statutory definition of units owned by a PHA, overriding the regulatory definitions at 24 CFR 983.3 and 24 CFR 982.352. HOTMA establishes three categories under which a project is PHA-owned. A project is PHA-owned when the project is: (1) Owned by the PHA; (2) owned by an entity wholly controlled by the PHA; or (3) owned by a limited liability company (LLC) or limited partnership in which the PHA (or an entity wholly controlled by the PHA) holds a controlling interest in the managing member or general partner. The January 18, 2017, implementation document (page 5463, section B), used the phrase ''50 percent or more'' to define a level of control that constitutes a controlling interest and would thus indicate PHA ownership. The threshold for control should be ''more than 50 percent'' rather than ''50 percent or more.''

This document also corrects a typographical error contained in the January 18, 2017, implementation document in the definition of ''controlling interest'' for purposes of establishing PHA ownership. Specifically, the implementation document incorrectly refers to equivalent levels of control in other ''organizational'' structures. This document corrects the definition to refer to ''ownership'' structures.

B. Units Not Subject to Project-Based Voucher (PBV) Program Unit Limitation (HOTMA § 106(a)(2)) and Projects Not Subject to Project Cap (HOTMA § 106(a)(3))—Flexible Subsidy Projects

HOTMA amended the 1937 Act to except certain units from both the PHA program unit percentage limitation at section 8(o)(13)(B) and the income-mixing requirement at section 8(o)(13)(D). Specifically, HOTMA excepts units of project-based assistance that ''are attached to units previously subject to federally required rent restrictions or receiving another type of long-term subsidy or project-based assistance provided by the Secretary.'' The January 18, 2017, implementation document (page 5465, section C.2.C, and page 5467, section C.3.D, respectively) inadvertently excluded from the list of excepted units those units that have received assistance under section 201 of the Housing and Community Development Amendments of 1978. Therefore, HUD is correcting the January 18, 2017, implementation document to add the Flexible Subsidy Program in both lists.

C. Units Not Subject to PBV Program Unit Limitation (HOTMA § 106(a)(2))—Replacement Housing

In discussing the units that are not subject to the PBV program unit limitation, the January 18, 2017, implementation document describes the circumstances under which PBV new construction units will qualify as replacement housing for the covered units and likewise are exempt from the program limitation (page 5465, section C.2.C(2)). One of the requirements is that the newly constructed unit is located on the same site as the unit it is replacing. In describing this requirement, the January 18 2017, implementation document inadvertently referred to the ''site of the original public housing development'' instead of ''site of the original development.'' To avoid any indication that this requirement is only applicable to former public housing units as opposed to all the covered forms of HUD assistance listed earlier in the January 18, 2017, implementation document, C.2.C(2)(b) is revised to strike ''public housing'' from the paragraph.

D. Changes to Income-Mixing Requirements for a Project (Project Cap) (HOTMA § 106(a)(3))—Supportive Services Exception

HOTMA amends the 1937 Act with respect to the threshold for exemption from the income-mixing requirement. The income mixing requirement

exception for supportive services now applies to dwelling units assisted under the contract that are exclusively made available to ''households eligible for supportive services that are made available to the assisted residents of the project, according to the standards for such services the Secretary may establish.'' HOTMA requires that families must be ''eligible'' for the supportive services, rather than ''receiving'' the supportive services, for the units made available to such families to be excluded from the income-mixing requirement. As clarified in the January 18, 2017, implementation document (page 5467, section C.3.B(2)), this HOTMA change means that a PHA may not require family participation in the supportive services as a condition of living in an excepted unit. Therefore, a PHA may not rely solely on a supportive services program that would require a family to engage in the supportive services once the family enrolls in the program, such as Family Self-Sufficiency (FSS), for the unit to meet the supportive services exception.

The January 18, 2017, implementation document states that ''if the FSS family fails to successfully complete the FSS contract of participation or supportive services objective and consequently *is no longer eligible* for the supportive services, the family must vacate the unit . . . and the PHA shall cease paying housing assistance payments on behalf of the ineligible family.'' Upon further consideration, HUD is concerned that the sentence may be misinterpreted to imply that a PHA could, under HOTMA, establish a supportive services exception based exclusively on participation in FSS (where participation in the supportive services is required as opposed to voluntary), rather than in combination with another supportive services option where participation in the supportive services is voluntary. Additionally, HUD has determined that this provision could be wrongly construed in a way that conflicts with current FSS requirements, which do not allow termination from the housing assistance program for failure to complete the FSS contract of participation. See the **Federal Register** notice entitled, ''Waivers and Alternative Requirements for the Family Self-Sufficiency Program'', published on December 29, 2014, at 79 FR 78100.

Therefore, HUD is correcting the language on page 5467 to remove the ambiguities and better express the requirements of the HOTMA changes.

E. Changes to Income-Mixing Requirements for a Project (Project Cap) (HOTMA § 106(a)(3))—Units in Low-Poverty Census Tract Exception

HOTMA amended the 1937 Act with respect to the types of units that are exempt from the income-mixing requirement. The January 18, 2017, implementation document (page 5467, section C.3.B(3)), noted that ''projects that are in a census tract with a poverty rate of 20 percent or less'' are excluded from the cap. However, the January 18, 2017, implementation document should have clarified that while PBV projects located in a census tract with a poverty rate of 20 percent or less are excluded from the 25 percent unit cap, those projects are subject to an alternative income mixing requirement that is the greater of 25 units or 40 percent of the units. HUD is adding a sentence to this section as a clarification.

F. Changes to Income Mixing Requirements for a Project (Project Cap) (HOTMA § 106(a)(3))—Grandfathering of Certain Properties

There are two typographical errors in the last sentence of section C.3.C on page 5467. The word ''contact'' should be ''contract'' and the last word of the sentence should be ''project'' and not ''unit''.

G. Projects Not Subject to a Project Cap (HOTMA § 106(a)(3))—Replacement Housing

HOTMA amended the language in section 8(o)(13)(D) to exempt certain types of units receiving PBV assistance from having a project cap entirely. These are PBV units that were previously subject to certain federal rent restrictions or receiving another type of long-term housing subsidy provided by HUD. The January 18, 2017, implementation document (page 5468, section C.3.D(2)), provided an incorrect definition of new construction units that qualify for the exception as replacement housing. The definition in section C.3.D(2)(b) was supposed to match the definition provided on page 5465, section C.2.C(2)(b).

H. Attaching PBVs to Structures Owned by PHAs (HOTMA § 106(a)(9))

HOTMA amended the 1937 Act to add a new section 8(o)(13)(N), which allows a PHA that is engaged in an initiative to improve, develop, or replace a public housing property or site to attach PBVs to projects in which the PHA has an ownership or controlling interest, without following a competitive process. In the January 18, 2017, implementation document (page 5471, section C.6), HUD stated that, in order to avail itself of this exemption from the competitive award of PBVs, a PHA must ''be planning rehabilitation or construction on the project with a minimum of $25,000 per unit in hard costs.'' However, this minimum per unit cost would not be applicable in a situation where a PHA is replacing a public housing property or site with existing housing owned or controlled by the PHA.

Accordingly, in FR Doc. 2017–0091, beginning on page 5458 of the **Federal Register** of Wednesday, January 18, 2017, the following corrections are made:

1. On page 5463, in the first column, the final sentence of paragraph (3) is corrected to read as follows:

A ''controlling interest'' is—
(A) holding more than 50 percent of the stock of any corporation;
(B) having the power to appoint more than 50 percent of the members of the board of directors of a non-stock corporation (such as a non-profit corporation);
(C) where more than 50 percent of the members of the board of directors of any corporation also serve as directors, officers, or employees of the PHA;
(D) holding more than 50 percent of all managing member interests in an LLC;
(E) holding more than 50 percent of all general partner interests in a partnership; or
(F) equivalent levels of control in other ownership structures.

2. On page 5465, beginning in the first column, paragraph C(1)(b)(i) is corrected by adding at the end a new paragraph, to read as follows:

(VII) Flexible Subsidy Program (section 201 of the Housing and Community Development Amendments of 1978).

3. On page 5465, beginning in the second column, paragraph (b) is corrected by removing ''public housing'' in the second sentence.

4. On page 5467, in the second column, the last two paragraphs of paragraph B(2) are corrected to read as follows:

A PHA may not require participation in the supportive services as a condition of living in an excepted unit, although the family must be eligible to receive the supportive services, and the supportive services must be offered to the family. As such, a PHA may not rely solely on a supportive services program that would require the family to engage in the services once enrolled, such as FSS, for the unit to qualify for the supportive services exception. In the case of a family that chooses to participate in the supportive services, as described by the PHA in the administrative plan, and successfully completes the supportive services objective, the unit continues to be an excepted unit for as long as the family resides in the unit even though the family is no longer eligible for the service.

However, if a family becomes ineligible for the supportive services during their tenancy (for reasons other than successfully completing the supportive services objective), the unit will no longer be considered an excepted unit under this category. If the PHA does not want to reduce the number of excepted units in their project-based portfolio, the PHA may: (i) Substitute the excepted unit for a non-excepted unit if it is possible to do so in accordance with 24 CFR 983.207(a), so that the unit does not lose its excepted status, or (ii) temporarily remove the unit from the PBV HAP contract and provide the family with tenant-based assistance. Note that the family would have to be ineligible for *all* the supportive services made available for the unit to lose its excepted status. For example, consider a project where the supportive services made available to assisted families in the project include both FSS supportive services (for families that voluntarily join the FSS program) and non-FSS supportive services (where, unlike FSS, participation in supportive services is not mandatory). If a family joined the FSS program but later dropped out of the FSS program, the unit would continue to be an exception unit provided the family is eligible for the non-FSS supportive services.

5. On page 5467, in the second column, paragraph B(3) is corrected by adding a new sentence at the end, to read as follows:

''For these projects, the project cap is the greater of 25 units or 40 percent (instead of 25 percent) of the units in the project.''

6. On page 5467, in the third column, the last sentence of paragraph (C) is corrected to read as follows:

The PBV HAP contract may not be changed to the HOTMA requirement if the change would jeopardize an assisted family's eligibility for continued assistance at the project (*e.g.,* excepted units at the project included units designated for the disabled, and changing to the HOTMA standard would result in those units no longer being eligible as an excepted unit unless the owner will make supportive services available to all assisted families in the project.

7. On page 5467, beginning in the third column, paragraph D(1)(b)(i) is corrected by adding at the end a new paragraph, to read as follows:

(VII) Flexible Subsidy Program (section 201 of the Housing and Community Development Amendments of 1978).

8. On page 5468, in the second column, the second sentence of paragraph (b) is corrected by removing the parentheses and correcting it to read as follows:

An expansion of or modification to the prior project's site boundaries as a result of the design of the new construction project is acceptable as long as a majority of the replacement units are built back on the site of the original development and any units that are not built on the existing site share a common border with, are across a public right of way from, or touch that site.

9. On page 5471, in the third column, the second paragraph of section 6 is corrected to read as follows:

In order to be subject to this non-competitive exception, the PHA must be planning: (A) rehabilitation or construction of the project or site with a minimum of $25,000 per unit in hard costs; or (B) replacement of the project or site with existing housing that substantially complies with HUD's housing quality standards. The PHA must detail in its administrative plan how it intends to use PBVs to improve, develop, or replace any public housing property or site, and, if applicable, must detail what works it plans to do on the property or site and how many units of PBV it is planning an adding to the site.

Dated: June 28, 2017.

Jemine A. Bryon,

General Deputy Assistant, Secretary for Public and Indian Housing.

[FR Doc. 2017–14631 Filed 7–13–17; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 982 and 983

[Docket No. FR–5976–N–03]

Housing Opportunity Through Modernization Act of 2016; Implementation of Various Section 8 Voucher Provisions

Correction

Rule document 17–00911 was inadvertently published in the Proposed Rules section of the issue of Wednesday, January 18, 2017, beginning on page 5458. It should have appeared in the Rules section.

[FR Doc. C1–2017–00911 Filed 7–13–17; 8:45 am]

BILLING CODE 1505–01–D

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 4022

Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This final rule amends the Pension Benefit Guaranty Corporation's regulation on Benefits Payable in Terminated Single-Employer Plans to prescribe interest assumptions under the regulation for valuation dates in August 2017. The interest assumptions are used for paying benefits under terminating single-employer plans covered by the pension insurance system administered by PBGC.

DATES: Effective August 1, 2017.

FOR FURTHER INFORMATION CONTACT: Deborah C. Murphy (*Murphy.Deborah@pbgc.gov*), Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005, 202–326–4400 ext. 3451. (TTY/TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4400 ext. 3451.)

SUPPLEMENTARY INFORMATION: PBGC's regulation on Benefits Payable in Terminated Single-Employer Plans (29 CFR part 4022) prescribes actuarial assumptions—including interest assumptions—for paying plan benefits under terminating single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions in the regulation are also published on PBGC's Web site (*http://www.pbgc.gov*). PBGC uses the interest assumptions in Appendix B to Part 4022 to determine whether a benefit is payable as a lump sum and to determine the amount to pay. Appendix C to Part 4022 contains interest assumptions for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using PBGC's historical methodology. Currently, the rates in Appendices B and C of the benefit payment regulation are the same.

The interest assumptions are intended to reflect current conditions in the financial and annuity markets. Assumptions under the benefit payments regulation are updated monthly. This final rule updates the benefit payments interest assumptions for August 2017.[1]

The August 2017 interest assumptions under the benefit payments regulation will be 0.75 percent for the period during which a benefit is in pay status and 4.00 percent during any years preceding the benefit's placement in pay status. In comparison with the interest assumptions in effect for July 2017, these assumptions represent a decrease of 0.25 percent in the immediate rate and are otherwise unchanged.

PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public

[1] Appendix B to PBGC's regulation on Allocation of Assets in Single-Employer Plans (29 CFR part 4044) prescribes interest assumptions for valuing benefits under terminating covered single-employer plans for purposes of allocation of assets under ERISA section 4044. Those assumptions are updated quarterly.

interest. This finding is based on the need to determine and issue new interest assumptions promptly so that the assumptions can reflect current market conditions as accurately as possible.

Because of the need to provide immediate guidance for the payment of benefits under plans with valuation dates during August 2017, PBGC finds that good cause exists for making the assumptions set forth in this amendment effective less than 30 days after publication. PBGC has determined that this action is not a ''significant regulatory action'' under the criteria set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

List of Subjects in 29 CFR Part 4022

Employee benefit plans, Pension insurance, Pensions, Reporting and recordkeeping requirements.

In consideration of the foregoing, 29 CFR part 4022 is amended as follows:

PART 4022—BENEFITS PAYABLE IN TERMINATED SINGLE–EMPLOYER PLANS

■ 1. The authority citation for part 4022 continues to read as follows:

Authority: 29 U.S.C. 1302, 1322, 1322b, 1341(c)(3)(D), and 1344.

■ 2. In appendix B to part 4022, Rate Set 286, as set forth below, is added to the table.

Appendix B to Part 4022—Lump Sum Interest Rates For PBGC Payments

* * * * *

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		i_1	i_2	i_3	n_1	n_2
*	*	*	*	*	*	*	*	*
286	8–1–17	9–1–17	0.75	4.00	4.00	4.00	7	8

■ 3. In appendix C to part 4022, Rate Set 286, as set forth below, is added to the table.

Appendix C to Part 4022—Lump Sum Interest Rates For Private-Sector Payments

* * * * *

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		i_1	i_2	i_3	n_1	n_2
*	*	*	*	*	*	*	*	*
286	8–1–17	9–1–17	0.75	4.00	4.00	4.00	7	8

Issued in Washington, DC.

Deborah Chase Murphy,

Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation.

[FR Doc. 2017–14541 Filed 7–13–17; 8:45 am]

BILLING CODE 7709–02–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2017–0649]

Drawbridge Operation Regulation; New Jersey Intracoastal Waterway (NJICW), Inside Thorofare, Atlantic City, NJ

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the US40–322 (Albany Avenue) Bridge which carries US 40 and US 322 across the NJICW (Inside Thorofare), mile 70.0, at Atlantic City, NJ. The deviation is necessary to facilitate the 7th Annual Atlantic City Triathlon. This deviation allows the bridge to remain in the closed-to-navigation position.

DATES: The deviation is effective from 6 a.m. to 1 p.m. on Saturday, August 5, 2017.

ADDRESSES: The docket for this deviation, [USCG–2017–0649] is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH''. Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Michael Thorogood, Bridge Administration Branch Fifth District, Coast Guard, telephone 757–398–6557, email *Michael.R.Thorogood@uscg.mil.*

SUPPLEMENTARY INFORMATION: The DelMoSports, LLC, on behalf of the New Jersey Department of Transportation, owner and operator of the US40–322 (Albany Avenue) Bridge that carries US 40 and US 322 across the NJICW (Inside Thorofare), mile 70.0, at Atlantic City, NJ, has requested a temporary deviation from the current operating regulations to ensure the safety of the increased volumes of cyclists and spectators that will be participating in the 7th Annual Atlantic City Triathlon on Saturday August 5, 2017. The bridge is a double bascule drawbridge. The bridge has a vertical clearance of 10 feet above mean high water in the closed position and unlimited vertical clearance in the open position.

The current operating regulation is set out in 33 CFR 117.733(f). Under this temporary deviation, the bridge will be maintained in the closed-to-navigation position from 6 a.m. to 1 p.m. on Saturday, August 5, 2017.

The NJICW (Inside Thorofare) is used by recreational vessels. The Coast Guard has carefully considered the nature and volume of vessel traffic on the waterway in publishing this temporary deviation.

Vessels able to pass through the bridge in the closed-to-navigation position may do so at any time. The bridge will be able to open for emergencies, if at least 10 minutes notice is given, and there is no immediate alternative route for vessels unable to pass through the bridge in the closed position. The Coast Guard will also inform the users of the waterway through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: July 11, 2017.

Hal R. Pitts,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2017–14799 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2017–0472]

RIN 1625–AA00

Safety Zone; St. Ignace Fireworks Displays, St. Ignace, MI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the Captain of the Port, Sault Sainte Marie zone. This safety zone is intended to restrict vessels from certain portions of Lake Huron during firework displays in East Moran Bay. This temporary safety zone is necessary to protect spectators and vessels from the potential hazards associated with the fallout from the aerial displays.

DATES: This rule is effective without actual notice from July 14, 2017 to 10:00 p.m. on September 10, 2017. For purposes of enforcement, actual notice will be used from 10:00 p.m. on June 24, 2017 to July 14, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Sector Sault Sainte Marie Waterways Management Division, U.S. Coast Guard; telephone 906–253–2443, email *SSMPrevention@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Acronyms

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(3)(B), the Coast Guard finds that good cause exists for not publishing an NPRM with respect to this rule because doing so would be impracticable. The Coast Guard received the safety zone request on March 9, 2017. The Coast Guard did not receive the final details of the requested safety zone with sufficient time for a comment period to run before the start of the fireworks display. Thus, delaying this rule to wait for a notice and comment period to run would be impracticable because it would inhibit the Coast Guard's ability to protect the public from the potential hazards associated with the fireworks display.

We are issuing this final rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. For the same reasons discussed in the preceding paragraph, a 30 day notice period would be impracticable.

III. Legal Authority and Need for Rule

The legal basis for the rule is the Coast Guard's authority to establish safety zones: 33 U.S.C. 1231; 33 CFR 1.05–1, 160.5; Department of Homeland Security Delegation No. 0170.1.

On every Saturday from June 24th to September 9th, 2017 and on July 4th 2017, St. Ignace will have fireworks displays at the end of the Arnold Transit Mill Slip. The state of Michigan regulates fireworks displays. This action is only for the safety zone. The Captain of the Port Sault Sainte Marie has determined that the pyrotechnics display will pose a significant risk to public safety and property. Such hazards include premature and accidental detonations, falling and burning debris, and collisions among spectator vessels. The special design of water shells requires a safety zone of at least 1,400 feet.

IV. Discussion of the Rule

This rule is necessary to ensure the safety of vessels during the aforementioned displays. The temporary safety zone will encompass all U.S. waters of Lake Huron within a 1,400 foot radius from the end of Arnold Transit Mill Slip located at 45°52′24.6″ N., 084°43′18.1″ W. The safety zone will be enforced from 10:00 p.m. to 11:30 p.m. on June 24, 2017, from 10:00 p.m. to 11:30 p.m. on July 4, 2017, from 10:00 p.m. to 11:30 p.m. on July 8, 2017, from 9:45 p.m. to 11:15 p.m. on July 15, 2017, from 9:45 p.m. to 11:15 p.m. on July 22, 2017, from 9:30 p.m. to 11:00 p.m. on July 29, 2017, from 9:30 p.m. to 11:00 p.m. on August 5, 2017, from 9:30 p.m. to 11:00 p.m. on August 12, 2017, from 9:30 p.m. to 11:00 p.m. on August 19, 2017, from 9:30 p.m. to 11:00 p.m. on August 26, 2017, from 9:30 p.m. to 11:00 p.m. on September 2, 2017, from 9:00 p.m. to 10:00 p.m. on September 9, 2017. If the fireworks are cancelled on Saturday due to inclement weather, then this section will be enforced on the following day. The rule will be enforced with actual notice as-needed to mitigate risks associated with the display.

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Sault Sainte Marie, or a designated on-scene representative. The Captain of the Port or a designated on-scene representative may be contacted via VHF Channel 16 or telephone at 906–635–3233.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders (E.O.s) related to rulemaking. Below we summarize our analyses based on these statutes and E.O.s and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is

necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and promoting flexibility. Executive Order 13771 (''Reducing Regulation and Controlling Regulatory Costs''), directs agencies to reduce regulation and control regulatory costs and provides that ''for every one new regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process.'' This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

As this rule is not a significant regulatory action, this rule is exempt from the requirements of Executive Order 13771. See OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017 titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

We conclude that this rule is not a significant regulatory action because we anticipate that will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule is confined to area encompassing the potential firework fallout area and will be enforced only for the duration of the display. Under certain conditions, moreover, vessels may still transit through the safety zones when permitted by the Captain of the Port.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which might be small entities: The owners or operators of the vessels intending to transit or anchor in the vicinity of the safety zone.

This safety zone will not have a significant economic impact on a substantial number of small entities for the reasons identified in the *Regulatory Planning and Review* section. Further, the Coast Guard will give advance notice to the public via a Broadcast Notice to Mariners so the public can plan accordingly.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132. Also, this rule does not have tribal implications under E.O. 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves establishment of a safety zone and, therefore, is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A Record of Environmental Consideration (REC) supporting this determination is available in the docket where indicated in the **ADDRESSES** section of this preamble. However, we seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

H. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

I. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

J. Protection of Children

We have analyzed this rule under *Executive Order* 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

K. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

L. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirement, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0472 to read as follows:

§ 165.T09–0472 Safety Zone; St. Ignace Fireworks Displays, St. Ignace, Michigan.

(a) *Location.* The following areas are temporary safety zones: All U.S. navigable waters of Lake Huron within a 1,400 foot radius from the end of Arnold Transit Mill Slip located at 45°52′24.6″ N., 084°43′18.1″ W.

(b) *Effective and enforcement period.* This rule is effective from 10:00 p.m. on June 24, 2017 to 10:00 p.m. on September 10, 2017. The safety zone will be enforced from 10:00 p.m. to 11:30 p.m. on June 24, 2017, from 10:00 p.m. to 11:30 p.m. on July 4, 2017, from 10:00 p.m. to 11:30 p.m. on July 8, 2017, from 9:45 p.m. to 11:15 p.m. on July 15, 2017, from 9:45 p.m. to 11:15 p.m. on July 22, 2017, from 9:30 p.m. to 11:00 p.m. on July 29, 2017, from 9:30 p.m. to 11:00 p.m. on August 5, 2017, from 9:30 p.m. to 11:00 p.m. on August 12, 2017, from 9:30 p.m. to 11:00 p.m. on August 19, 2017, from 9:30 p.m. to 11:00 p.m. on August 26, 2017, from 9:30 p.m. to 11:00 p.m. on September 2, 2017, from 9:00 p.m. to 10:00 p.m. on September 9, 2017. If the fireworks are cancelled on Saturday due to inclement weather, then this section will be enforced on the following day. The rule will be enforced with actual notice as-needed to mitigate risks associated with the display.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23, entry into, transiting, or anchoring within these safety zones are prohibited unless authorized by the Captain of the Port, Sault Sainte Marie or his on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port, Sault Sainte Marie or his on-scene representative.

(3) The ''on-scene representative'' of the Captain of the Port, Sault Sainte Marie is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Sault Sainte Marie to act on his or her behalf. The on-scene representative of the Captain of the Port, Sault Sainte Marie will be aboard a Coast Guard vessel.

(4) Vessel Operators desiring to enter or operate within the safety zone shall contact the Captain of the Port, Sault Sainte Marie, or his on-scene representative to obtain permission to do so. The Captain of the Port, Sault Sainte Marie or his on-scene representative may be contacted via VHF Channel 16 or telephone at 906–635–3233. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port, Sault Sainte Marie or his on-scene representative.

Dated: June 23, 2017.

M.R. Broz,

Captain, U.S. Coast Guard, Captain of the Port, Sault Sainte Marie.

[FR Doc. 2017–14740 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2017–0576]

RIN 1625–AA00

Safety Zone; Oswego Harborfest Water Ski Show; Oswego Harbor, Oswego, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the Oswego Harbor, Oswego, NY. This safety zone is intended to restrict vessels from portions of the Oswego Harbor during the Oswego Harborfest Water Ski Show on July 29, 2017 and July 30, 2017. This temporary safety zone is necessary to protect mariners and vessels from the navigational hazards associated with high speed craft and water skiers. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Buffalo.

DATES: This rule is effective from 10:45 a.m. on July 29, 2017 to 5:45 p.m. July 30, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2017–0576 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rulemaking, call or email LT Michael Collet, Chief of Waterways Management, U.S. Coast Guard Sector Buffalo; telephone 716–843–9322, email *D09-SMB-SECBuffalo-WWM@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule

without prior notice and opportunity to comment when the agency for good cause finds that those procedures are impracticable, unnecessary, or contrary to the public interest. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule. The event sponsor did not submit notice to the Coast Guard with sufficient time remaining before the event to publish an NPRM. Delaying the effective date of this rule to wait for a comment period to run would be impracticable and contrary to the public interest by inhibiting the Coast Guard's ability to protect spectators and vessels from the hazards associated with a water ski show.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this temporary rule effective less than 30 days after publication in the **Federal Register** because doing so would be impracticable and contrary to the public interest. Delaying the effective date would be contrary to the rule's objectives of ensuring safety of life on the navigable waters and protection of persons and vessels near the water ski show.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Buffalo (COTP) has determined that a water ski show presents significant risks to public safety and property. Such hazards include high speed craft and multiple water skiers performing in a relatively small area. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the water ski show is taking place.

IV. Discussion of the Rule

This rule establishes a safety zone on July 29, 2017 and July 30, 2017 from 10:45 a.m. to 5:45 p.m. The safety zone will encompass all waters of the Oswego Harbor; Oswego, NY contained within the following points: 43°27′27.7″ N., 076°30′38.1″ W., then east to 43°27′28.6″ N., 076°30′34.0″ W., then northwest to 43°27′38.3″ N., 076°30′39.6″ W., then west to 43°27′38.5″ N., 076°30′44.8″ W., then back to the point of origin and 43°27′50.1″ N., 076°31′15.5″ W., then southwest to 43°27′42.2″ N., 076°31′36.0″ W., then northwest to 43°27′46.1″ N., 076°31′40.0″ W., then northeast to 43°27′55.2″ N., 076°31′17.2″ W., and returning to the point of origin (NAD 83).

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative. The Captain of the Port or his designated on-scene representative may be contacted via VHF Channel 16.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive Orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive Orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Executive Order 13771 (''Reducing Regulation and Controlling Regulatory Costs''), directs agencies to reduce regulation and control regulatory costs and provides that ''for every one new regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process.''

This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

As this rule is not a significant regulatory action, this rule is exempt from the requirements of Executive Order 13771. See OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017 titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

We conclude that this rule is not a significant regulatory action because we anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced only during the water ski performances. Also, the safety zone is designed to minimize its impact on navigable waters. Furthermore, the safety zone has been designed to allow vessels to transit around it. Thus, restrictions on vessel movement within the particular areas are expected to be minimal. Under certain conditions, moreover, vessels may still transit through the safety zone when permitted by the Captain of the Port.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132,

Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that it is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule establishes a temporary safety zone. It is categorically excluded under section 2.B.2, figure 2–1, paragraph 34(g) of the Instruction, which pertains to establishment of safety zones. A Record of Environmental Consideration (REC) supporting this determination is available in the docket where indicated in the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0576 to read as follows:

§ 165.T09–0576 Safety Zone; Oswego Harborfest Water Ski Show, Oswego Harbor, Oswego, NY.

(a) *Location.* The safety zone will encompass all waters of the Oswego Harbor; Oswego, NY contained within the following points: 43°27′27.7″ N., 076°30′38.1″ W., then east to 43°27′28.6″ N., 076°30′34.0″ W., then northwest to 43°27′38.3″ N., 076°30′39.6″ W., then west to 43°27′38.5″ N., 076°30′44.8″ W., then back to the point of origin and 43°27′50.1″ N., 076°31′15.5″ W., then southwest to 43°27′42.2″ N., 076°31′36.0″ W., then northwest to 43°27′46.1″ N., 076°31′40.0″ W., then northeast to 43°27′55.2″ N., 076°31′17.2″ W., and returning to the point of origin (NAD 83).

(b) *Enforcement period.* This regulation will be enforced on July 29, 2017 and July 30, 2017 from 10:45 a.m. until 5:45 p.m. while water ski shows are occurring.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Buffalo or his designated on-scene representative.

(3) The ''on-scene representative'' of the Captain of the Port Buffalo is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Buffalo to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone must contact the Captain of the Port Buffalo or his on-scene representative to obtain permission to do so. The Captain of the Port Buffalo or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Buffalo, or his on-scene representative.

Dated: July 7, 2017.

J.S. Dufresne,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. 2017–14741 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2017–0419]

RIN 1625–AA00

Safety Zone; Milwaukee Air and Water Show, Milwaukee Harbor; Milwaukee, Wisconsin

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone within Milwaukee Harbor in Milwaukee, Wisconsin. This safety zone is intended to restrict vessels from certain portions of Milwaukee Harbor due to an air and water show. This temporary safety zone is necessary to protect the surrounding public and vessels from the hazards associated with the air and water show.

DATES: This rule will be effective from 9:00 a.m. on July 13, 2017 through 5:00 p.m. on July 16, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov*, type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or

email Marine Event Coordinator, MST1 Kaleena Carpino, Sector Lake Michigan, U.S. Coast Guard; telephone 414–747–7148, email *D09-SMB-SECLakeMichigan-WWM@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM with respect to this rule because doing so would be impracticable and contrary to the public interest. The Coast Guard did not receive the final details for this event until there was insufficient time remaining before the event to publish an NPRM. Specifically, the Coast Guard finalized the details regarding location and date for this display on June 6, 2017. Thus, delaying the effective date of this rule to wait for a comment period to run would be both impracticable and contrary to the public interest because it would inhibit the Coast Guard's ability to protect the public and vessels from the hazards associated with the Milwaukee Air and Water Show from July 13, 2017 through July 16, 2017, which is discussed further below.

We are issuing this final rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this temporary rule effective less than 30 days after publication in the **Federal Register**. For the same reasons discussed in the preceding paragraph, waiting for a 30 day notice period to run would be impracticable and contrary to the public interest.

III. Legal Authority and Need for Rule

The legal basis for this rule is the Coast Guard's authority to establish safety zones: 33 U.S.C. 1231; 33 CFR 1.05–1, 160.5; Department of Homeland Security Delegation No. 0170.1.

In May of 2017 the Coast Guard confirmed that an extension of the safety zone for the Milwaukee Air and Water Show would provide increased safety for all participants, spectators and recreational waterway users. This extension will address boaters using the North gap of the Milwaukee Harbor and prevent them from unknowingly entering an unsafe area and the established safety zone from July 13, 2017 through July 16, 2017.

This air and water show is expected to draw a large group of waterborne spectators. The Captain of the Port Lake Michigan has determined that the likelihood of transiting vessels in the waters over which the air and water show participants will operate presents a significant risk of serious injuries or fatalities. Such hazards include flaming debris from dropped flares, and falling aircraft.

IV. Discussion of the Rule

With the aforementioned hazards in mind, the Captain of the Port Lake Michigan has determined that this temporary safety zone is necessary to ensure the safety of persons and vessels during the air and water show. This zone is effective from 9 a.m. on July 13, 2017 through 5 p.m. on July 16, 2017. The safety zone will encompasses all waters of Milwaukee Harbor in the vicinity of Lakeshore State Park within an area bounded by the following coordinates, beginning at 43°02.455′ N., 087°52.880′ W.; then southeast to 43°02.230′ N., 087°52.061′ W.; then northeast to 43°04.451′ N., 087°50.503′ W.; then northwest to 43°04.738′ N., 087°51.445′ W.; then southwest to 43°02.848′ N., 087°52.772′ W.; then returning to the point of origin (NAD 83).

This rule will be only be enforced from 9:00 a.m. through 5:00 p.m. on each day from July 13, 2017 through July 16, 2017.

The Captain of the Port Lake Michigan will notify the public that the zone in this rule is or will be enforced in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners.

All persons and vessels shall comply with the instructions of the Captain of the Port Lake Michigan or her designated on-scene representative. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan or her designated on-scene representative. The Captain of the Port Lake Michigan or her designated on-scene representative may be contacted at 414–747–7182 or via VHF Channel 16.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the cost and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and promoting flexibility. Executive Order 13771 (''Reducing Regulation and Controlling Regulatory Costs''), directs agencies to reduce regulation and control regulatory costs and provides that ''for every one new regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process.'' This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

As this rule is not a significant regulatory action, this rule is exempt from the requirements of Executive Order 13771. See OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017 titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

This regulatory action determination is based on the size, location, duration, and time-of-year of the safety zone. The safety zone created by this rule will be relatively small and enforced on an as-needed basis. Under certain conditions, vessels may still transit through the safety zone when permitted by the Captain of the Port. Moreover, the Coast Guard will issue Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zone.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and

operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule would not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which might be small entities: The owners or operators of vessels intending to transit or anchor within the waters of Milwaukee Harbor in Milwaukee, Wisconsin during the times in which the safety zone is enforced in July of 2017.

This safety zone will not have a significant economic impact on a substantial number of small entities for the reasons cited in the *Regulatory Planning and Review* section. Additionally, before the enforcement of this zone, we would issue a local Broadcast Notice to Mariners so vessel owners and operators can plan accordingly.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of a safety zone and, therefore, is in the Milwaukee Harbor in Milwaukee, Wisconsin. Normally such actions are categorically excluded under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A preliminary Record of Environmental Consideration (REC) supporting this determination is available in the docket where indicated under the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

H. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

I. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

J. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

K. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

L. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0419 to read as follows:

§ 165.T09–0419 Safety Zone; Milwaukee Air and Water Show, Milwaukee Harbor; Milwaukee, Wisconsin.

(a) *Location.* This zone will encompass all navigable waters of Milwaukee Harbor in the vicinity of Lakeshore State Park within an area bounded by the following coordinates, beginning at 43°02.455′ N., 087°52.880′ W.; then southeast to 43°02.230′ N., 087°52.061′ W.; then northeast to 43°04.451′ N., 087°50.503′ W.; then northwest to 43°04.738′ N., 087°51.445′ W.; then southwest to 43°02.848′ N., 087°52.772′ W.; then returning to the point of origin.

(b) *Effective period.* This rule will be effective from 9:00 a.m. on July 13, 2017 through 5:00 p.m. on July 16, 2017. This rule will be enforced from 9:00 a.m. through 5:00 p.m. on each day from July 13, 2017 through July 16, 2017.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23, entry into, transiting, or anchoring in this safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan or her designated on-scene representative.

(2) This safety zone is closed to all vessel traffic except as permitted by the Captain of the Port Lake Michigan or her designated on-scene representative.

(3) The ''on-scene representative'' of the Captain of the Port Lake Michigan is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Lake Michigan to act on her behalf.

(4) Vessel operators desiring to enter or operate within the safety zone must contact the Captain of the Port Lake Michigan or her on-scene representative to obtain permission to do so. The Captain of the Port Lake Michigan or her on-scene representative may be contacted at 414–747–7182 or via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Lake Michigan or her on-scene representative.

A.B. Cocanour,

Captain, U.S. Coast Guard, Captain of the Port Lake Michigan.

[FR Doc. 2017–14762 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2017–0386]

RIN 1625–AA00

Safety Zone; BASS Master Fireworks Display; Saint Lawrence River, Ogden Island, Waddington, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the Saint Lawrence River, Ogden Island, Waddington, NY. This safety zone is intended to restrict vessels from a portion of the Saint Lawrence River during the BASS Master Fireworks Display on July 22, 2017. This temporary safety zone is necessary to protect mariners and vessels from the navigational hazards associated with a fireworks display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Buffalo.

DATES: This rule is effective from 8:45 p.m. to 10:15 p.m. on July 22, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2017–0386 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email LT Michael Collet, Chief of Waterways Management, U.S. Coast Guard Sector Buffalo; telephone 716–843–9322, email *D09–SMB–SECBuffalo-WWM@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
Pub. L. Public Law
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are impracticable, unnecessary, or contrary to the public interest. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule. The event sponsor did not submit notice to the Coast Guard with sufficient time remaining before the event to publish an NPRM. Delaying the effective date of this rule to wait for a comment period to run would be impracticable and contrary to the public interest by inhibiting the Coast Guard's ability to protect spectators and vessels from the hazards associated with a fireworks display.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this temporary rule effective less than 30 days after publication in the **Federal Register** because doing so would be impracticable and contrary to the public interest. Delaying the effective date would be contrary to the rule's objectives of ensuring safety of life on the navigable waters and protection of persons and vessels near the fireworks display.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Buffalo (COTP) has determined that a maritime fireworks show presents significant risks to public safety and property. Such hazards include premature and accidental detonations, dangerous projectiles, and falling or burning debris. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the fireworks show is taking place.

IV. Discussion of the Rule

This rule establishes a safety zone on July 22, 2017 from 8:45 p.m. to 10:15 p.m. The safety zone will encompass all waters of the Saint Lawrence River, Ogden Island, Waddington, NY within a 560-foot radius of position 44°52′16.58″ N. and 075°12′18.08″ W. (NAD 83).

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative. The Captain of the Port or his designated on-scene representative may be contacted via VHF Channel 16.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and

Executive Orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive Orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Executive Order 13771 (''Reducing Regulation and Controlling Regulatory Costs''), directs agencies to reduce regulation and control regulatory costs and provides that ''for every one new regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process.''

This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

As this rule is not a significant regulatory action, this rule is exempt from the requirements of Executive Order 13771. See OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017 titled 'Reducing Regulation and Controlling Regulatory Costs''' (February 2, 2017).

We conclude that this rule is not a significant regulatory action because we anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced for a relatively short time. Also, the safety zone is designed to minimize its impact on navigable waters. Furthermore, the safety zone has been designed to allow vessels to transit around it. Thus, restrictions on vessel movement within that particular area are expected to be minimal. Under certain conditions, moreover, vessels may still transit through the safety zone when permitted by the Captain of the Port.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that it is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule establishes a temporary safety zone. It is categorically excluded under section 2.B.2, figure 2–1, paragraph 34(g) of the Instruction, which pertains to establishment of safety zones. A Record of Environmental Consideration (REC) supporting this determination is available in the docket where indicated in the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0386 to read as follows:

§ 165.T09–0386 Safety Zone; BASS Master Fireworks Display, Saint Lawrence River, Ogden Island, Waddington, NY.

(a) *Location.* This zone will encompass all waters of the Saint Lawrence River, Ogden Island, Waddington, NY within a 560-foot radius of position 44°52′16.58″ N. and 075°12′18.08″ W. (NAD 83).

(b) *Enforcement period.* This regulation is effective on July 22, 2017 from 8:45 p.m. until 10:15 p.m.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Buffalo or his designated on-scene representative.

(3) The ''on-scene representative'' of the Captain of the Port Buffalo is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Buffalo to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone must contact the Captain of the Port Buffalo or his on-scene representative to obtain permission to do so. The Captain of the Port Buffalo or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Buffalo, or his on-scene representative.

Dated: July 10, 2017.

J.S. Dufresne,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. 2017–14844 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

POSTAL SERVICE

39 CFR Part 233

Inspection Service Authority; Technical Correction

AGENCY: Postal Service™.

ACTION: Final rule; technical correction.

SUMMARY: The U.S. Postal Service® is making a technical correction to ensure that its regulations governing the use of mail covers are consistent with current mail classification terminology, by changing the product name ''Standard Mail®'' to ''USPS Marketing Mail™'' wherever necessary.

DATES: This rule is effective July 14, 2017.

ADDRESSES: Questions or comments on this action are welcome. Mail or deliver written comments to David Forde, Acting Assistant Postal Inspector in Charge, Office of Counsel, U.S. Postal Inspection Service, 475 L'Enfant Plaza SW., Room 3136, Washington, DC 20260–3100.

FOR FURTHER INFORMATION CONTACT: David Forde, Acting Assistant Postal Inspector in Charge, Office of Counsel, U.S. Postal Inspection Service, 202–268–7402, *DC Forde@uspis.gov.*

SUPPLEMENTARY INFORMATION: On December 21, 2016, the Postal Service™ published a final rule replacing the product name ''Standard Mail'' with the new name ''USPS Marketing Mail'' throughout subchapter 240 of *Mailing Standards of the United States Postal Service,* Domestic Mail Manual (DMM). *See,* 81 FR 93606, 93613–93615. This rebranding is intended to enhance the public's perception of this service, and improve its position in the marketplace. Consistent with these objectives, we are amending our regulations as necessary to reflect that the product name ''Standard Mail'' has been changed to ''USPS Marketing Mail.''

List of Subjects in 39 CFR Part 233

Administrative practice and procedure, Crime, Law enforcement, Penalties, Privacy.

For the reasons stated in the preamble, the Postal Service amends 39 CFR part 233 as follows:

PART 233—[AMENDED]

■ 1. The authority citation for part 233 continues to read as follows:

Authority: 39 U.S.C. 101, 102, 202, 204, 401, 402, 403, 404, 406, 410, 411, 1003, 3005(e)(1); 12 U.S.C. 3401–3422; 18 U.S.C. 981, 983, 1956, 1957, 2254, 3061; 21 U.S.C. 881; Sec. 662, Pub. L. 104–208, 110 Stat. 3009–378.

§ 233.3 [Amended]

■ 2. In § 233.3(c)(4), remove the words ''Standard Mail,'' and add in their place the words ''USPS Marketing Mail.''

Stanley F. Mires,

Attorney, Federal Compliance.

[FR Doc. 2017–14763 Filed 7–13–17; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R02–OAR–2016–0559; FRL–9964–87–Region 2]

Approval of Air Quality Implementation Plans; Puerto Rico; Attainment Demonstration for the Arecibo Area for the 2008 Lead National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency is approving a State Implementation Plan (SIP) revision dated August 30, 2016, submitted by the Commonwealth of Puerto Rico to the EPA. The purpose of this SIP revision is to provide for attainment of the 2008 Lead National Ambient Air Quality Standard in the Arecibo Lead Nonattainment Area. The Arecibo Nonattainment Area is comprised of a portion of Arecibo Municipality in Puerto Rico with a 4 kilometer radius surrounding The Battery Recycling Company, Inc. This SIP revision includes a base year emissions inventory, a modeling demonstration showing attainment of the Lead National Ambient Air Quality Standard, contingency measures and a narrative on control measures that includes reasonably available control measures/reasonably available control technology, and reasonable further progress.

DATES: This rule is effective on August 14, 2017. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 14, 2017.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R02–OAR–2016–0559. All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Mazeeda Khan, Air Programs Branch, Environmental Protection Agency, 290 Broadway, New York, New York 10007–1866, (212) 637–3715, or by email at *khan.mazeeda@epa.gov.*

SUPPLEMENTARY INFORMATION:

The **SUPPLEMENTARY INFORMATION** section is arranged as follows:

Table of Contents

I. What is the background information?

On November 12, 2008 (73 FR 66964), the Environmental Protection Agency (EPA) revised the Lead National Ambient Air Quality Standard (NAAQS), lowering the level from 1.5 micrograms per cubic meter (μg/m^3) to 0.15 μg/m^3 calculated over a three-month rolling average. The EPA established the 2008 Lead NAAQS based on significant evidence and numerous health studies demonstrating that serious health effects are associated with exposures to lead emissions.

Following promulgation of a new or revised NAAQS, the EPA is required by the Clean Air Act (CAA) to designate areas throughout the United States as attaining or not attaining the NAAQS; this designation process is described in CAA section 107(d)(1). On November 22, 2010 (75 FR 71033), the EPA promulgated initial air quality designations for the 2008 Lead NAAQS (first round of designations), which became effective on December 31, 2010, based on air quality monitoring data for calendar years 2007–2009, where there was sufficient data to support a nonattainment designation. On November 22, 2011 (76 FR 72097), the EPA promulgated its second round of designations for the 2008 Lead NAAQS, which became effective on December 31, 2011, based on air quality monitoring data for calendar years 2008–2010. The Arecibo Area was designated as nonattainment for the 2008 Lead NAAQS in the second round of designations, based on air quality monitoring data that exceeded the 2008 Lead NAAQS. This designation triggered a requirement for Puerto Rico to submit a State Implementation Plan (SIP) revision by June 30, 2013, with a plan for how the Area would attain the 2008 Lead NAAQS, as expeditiously as practicable, but no later than December 31, 2016. *See* 42 U.S.C. 7514(a), 7514a(a).

The Puerto Rico Environmental Quality Board (PREQB) initially submitted a lead SIP revision for the Arecibo Area on January 30, 2015. The EPA proposed to disapprove the January 30, 2015 submittal on February 29, 2016 (81 FR 10159). One comment was received from the Chairman of the PREQB, Weldin Ortiz Franco. The PREQB rescinded the January 30, 2015 submittal and replaced it with the August 30, 2016 lead SIP submittal for the Arecibo Area. The August 30, 2016 SIP submittal included the base year emissions inventory and the attainment demonstration. The EPA proposed to approve this submittal on November 7, 2016. (81 FR 78097). The EPA's analysis of the submitted attainment plan includes a review of the pollutant addressed, emissions inventory requirements, modeling demonstration of lead attainment, contingency measures and narrative on control measures that includes reasonably available control measures (RACM)/reasonably available control technology (RACT), and reasonable further progress (RFP) for the Arecibo Area. Today's rule represents the EPA's final action on Puerto Rico lead SIP attainment plan.

II. What comments did the EPA receive on the proposal and what are the EPA's responses?

The public comment period for the November 7, 2016 proposed approval of the PREQB lead SIP revision closed on December 7, 2016. We received comments from Mr. Jesus Garcia Oyola and Mr. Wilfredo Velez Hernandez, Earthjustice, and Madres De Negro De Arecibo, Inc. In general, all three commenters stated that the EPA should disapprove Puerto Rico's proposed August 30, 2016 SIP revision.

A summary of the comments and the EPA's responses are provided below. Comments from Jesus Garcia Oyola and Wilfredo Velez Hernandez are referred to as ''Garcia/Velez'', comments from Earthjustice are referred to as ''Earthjustice'' and comments from Madres De Negro De Arecibo, Inc. are referred to as ''Madres De Negro.'' These responses address ''significant comments, criticisms, and new data'' submitted during the comment period, pursuant to CAA section 307(d)(6)(B), 42 U.S.C. 7607(d)(6)(B). The EPA is not addressing those comments that do not relate to the underlying purpose of the November 17, 2016 proposed SIP approval of the attainment demonstration for the Arecibo Area, such as comments related to the Clean Water Act and Resource Conservation and Recovery Act.

1. *Comment:* In general, there were several comments that the Spanish and English versions of the lead SIP revision available for public comment by the PREQB were not identical (such as sections addressing the emissions inventory), and that the documents were too technical.

EPA Response: The EPA has reviewed, evaluated, and proposed action on the August 30, 2016 lead SIP revision submitted by PREQB to the EPA. The August 30, 2016 SIP submittal (lead SIP submittal or lead SIP revision), which is in English, is the official submittal. The PREQB followed the process set forth in CAA sections 110 and 172 and 40 CFR part 51, appendix V in preparing and submitting the lead SIP revision. Consistent with the relevant requirements, the official August 30, 2016 SIP submittal included the sources within the boundaries of the lead modeling domain (sources in Arecibo and its bordering municipalities, see pages 34–36 and pages 62–64 of the SIP submittal). Emissions from sources outside of the modeling domain were not included in the attainment demonstration modeling because their effect, if any, on the area within the lead modeling domain would be negligible. *See* Responses to Comments #4 and #5.

2. *Comment:* Garcia/Velez stated that the 2011 emissions inventory contains allowable emissions of lead but should contain actual emissions of lead, in accordance with 42 U.S.C. 7502(c)(3) which requires ''a comprehensive, accurate, current inventory of actual emissions from all sources of the relevant pollutant.''

EPA Response: The lead SIP submittal provided the 2011 actual emissions and, for those sources where actual emissions could not be calculated due to lack of activity data, provided allowable emissions. The PREQB's use of allowable emissions for the 2011 calendar year, instead of actual emissions, is a more conservative approach which may result in the plan requiring additional controls to reach attainment in the future. As stated in

Table 8.1 in 40 CFR part 51, appendix W (Guideline on Air Quality Models), this methodology is acceptable in attainment demonstrations instead of including a zero value due to lack of actual activity data.

3. *Comment:* Garcia/Velez stated that in 2011, Energy Answers and Sunbeam Synergy were not in operation, however, Energy Answers was included in the 2011 emissions inventory and Sunbeam Synergy was not.

EPA Response: The commenter is correct that on pages 18–19 of the lead SIP revision, the text stated that 2011 facility emissions for Energy Answers are included in the 2011 emissions inventory. However, although Energy Answers 2011 emissions are mentioned in the text on pages 18–19, the actual 2011 facility emissions numbers that are included in the air quality attainment demonstration do not include emissions from Energy Answers as it was not operating at that time. In fact, the facility has not been constructed yet. *See* the PREQB lead SIP submittal, page 32, Table A1, for 2011 emissions inventory numbers. The sources included in the air quality attainment demonstration were listed in the PREQB's 2011 emissions inventory at page 33, Table A1 of the submittal. These sources were included in Table 1 of the EPA's notice of proposed rulemaking, 81 FR at 78100. Although they are not included in the 2011 emissions inventory, as discussed in response #11 below, Energy Answers and Sunbeam Synergy are included in the 2016 projection inventory totals. *See* PREQB lead SIP submittal, page 57, Table B1.

4. *Comment:* Earthjustice stated that the EPA regulations mandate that ''emissions inventories such as this one use the '[m]aximum allowable emission limit or federally enforceable permit limit' to model concentrations. But the AEROMOD Model in the lead SIP revision uses inputs that are lower than permit limits or maximum allowable emissions'' for PREPA and Safetech facilities. Accordingly, Earthjustice stated that the PREQB must redo its model using maximum allowable emissions as required by the EPA regulations.

EPA Response: According to the EPA 2008 Lead NAAQS Implementation Questions and Answers Memorandum document dated July 8, 2011 (see page 7, answer to question 12), the emission rate input for attainment demonstrations should be based on maximum allowable or federally enforceable permit limits. The commenter is correct that the PREQB did not use the permit limits for PREPA and Safetech, which are 0.3 and 0.013 tons per year (tpy), respectively. However, in this particular instance, it is reasonable not to require the PREQB to remodel 2016 lead concentrations using maximum allowable emissions because doing so would not change the conclusion that the SIP submittal demonstrates attainment of the 2008 Lead NAAQS. The PREQB used 2016 emissions values for PREPA and Safetech of 0.28 and 0.009 tpy, respectively, resulting in a combined lead contribution for these two sources equal to 0.0178 percent of total cumulative lead contribution of 0.09352 $\mu g/m^3$. Furthermore, the modeled 3-month rolling average cumulative lead concentration from all sources, 0.09352 $\mu g/m^3$, is substantially below the 2008 Lead NAAQS of 0.15 $\mu g/m^3$. Given the minimal contribution of these two sources to the overall lead contribution for this area, if the emissions for these two sources were increased to the permit levels of 0.3 tpy and 0.013 tpy, respectively, the increase would not impact the attainment demonstration of the 2008 Lead NAAQS. Consequently, the PREQB actions were within reason.

5. *Comment:* Madres de Negro and Earthjustice commented on the substance and approval status of permitted facilities in Arecibo and other municipalities. Specifically, commenters stated that the 2016 projected emissions inventory in the lead SIP revision does not match the permits inventory for the PREPA and Safetech facilities. Commenters suggested that these inconsistencies in information require the EPA to disapprove the lead SIP revision.

EPA Response: See the Responses to Comments #3 and #4. These enforceable limits were established pursuant to the Regulation for the Control of the Atmospheric Pollution (RCAP) Rules 203 (Permit to Construct a Source rule) and 204 (Permit to Operate a Source rule). RCAP Rules 203 and 204 require air emissions sources to obtain permits prior to the construction or operation of the source and also require the source to demonstrate compliance with all applicable rules and regulations prior to obtaining a construction permit. The EPA agrees that, for PREPA and Safetech, the emissions inventory in the lead SIP revision is slightly different from that in the permits included as Exhibits 3 and 4 to Earthjustice letter. The 2011 emissions inventory included the The Battery Recycling Company, Inc. (TBRCI) facility and the facilities in surrounding municipalities listed in the EPA's Emissions Inventory System (EIS)/National Emissions Inventory (NEI) database. TBRCI, a secondary lead smelter representing 85 percent of the 2011 emissions inventory, was the primary source of the high lead concentration, and the nonattainment area was established with this facility at its center. The other facilities contributed to lead concentrations representing a total of 13 percent of the 2011 emission inventory. As explained in the Responses to Comments #3 and #4, emissions from these sources contribute minimally to the cumulative lead concentration in the nonattainment area in the 2016 modeling, and slight differences between permitted and modeled emissions are unlikely to impact the attainment demonstration contained in the PREQB's SIP revision.

6. *Comment:* Several comments were made that the emissions included in the lead SIP revision were not inclusive of all TBRCI operations (including lead emissions to water and hazardous waste) and did not include all emissions of lead in the areas as far away as Camuy and Manati municipalities, including the airports.

EPA Response: The EPA disagrees that the emissions to water and hazardous waste as well as emissions from non-bordering municipalities should be included. PREQB's SIP emissions inventory included air lead emission sources consistent with the EPA guidance *2008 Lead NAAQS Implementation Questions and Answers.*[1] Consistent with the Lead Guidance, any ambient air lead emissions recorded in the EPA EIS/NEI database for Arecibo and its bordering municipalities were included in this lead SIP revision. Emissions from Antonio Nery Juarbe Airport, which is located within the Arecibo Area, were also included. For additional facility emissions calculated and included in the inventory, *see* Responses to Comments #1–#4.

7. *Comment:* Madres de Negro states that the PREQB announced its intention to issue Energy Answers a construction permit in October 2014, and that authorizing construction of a new lead-emitting facility in a nonattainment area without a SIP violates 40 CFR 52.24.

EPA Response: The EPA disagrees that the timing of Energy Answers construction permit is relevant to the current rulemaking, which constitutes the EPA's action on the PREQB's attainment demonstration for the Arecibo lead nonattainment area. The PREQB has an approved nonattainment new source review program (NNSR) that includes lead and that meets the

[1] Memorandum from Scott L. Mathias, Interim Director, Air Quality Policy Division, to Regional Air Division Directors Regions I–X, dated July 8, 2011 (Lead Guidance).

statutory requirements. Proposed facilities must, at the time of permit application, meet the requirements of the PREQB RCAP 203, the PREQB's NNSR program and any applicable federal requirements. As stated above, however, the permitting of new sources under this program is independent of considerations relevant to determining whether the PREQB has submitted an approvable attainment plan. Regardless, the 2016 modeling included in the Arecibo attainment demonstration shows that the new planned sources, including the Energy Answers facility, will not cause or contribute to lead concentrations in excess of the 2008 Lead NAAQS.

8. *Comment:* Earthjustice stated that the lead SIP revision does not include emissions limitations for any facility within or near the nonattainment area but rather sets forth general provisions of the PREQB regulations. Specifically, the commenter asserts that ''[t]hese vague prohibitions on general pollution'' do not comply with the CAA's requirement of particularized emission limits and control technologies applied to the emitting facilities within the nonattainment area.

EPA Response: The EPA disagrees that the attainment SIP does not provide for the statutorily required permanent and enforceable emissions limitations as may be necessary to provide for attainment. The lead SIP revision is a plan to control ambient air lead emissions from the primary sources (or, in this case, source) of emissions. The PREQB's attainment modeling took into account all ambient air lead emissions recorded in the EPA EIS/NEI database in Arecibo and its bordering municipalities, in addition to emissions from the primary source. The modeling also conservatively incorporated other planned facilities that emit lead to ensure that the area will attain the standard. The PREQB's modeling demonstration determined that TBRCI was the primary source of ambient air lead emissions contributing to nonattainment in the Arecibo Area and was thereby, the only source required to implement control technologies. On August 19, 2015, the PREQB rescinded the TBRCI operating and construction permits. Because TBRCI is no longer permitted to emit lead at the ambient air levels that contributed to nonattainment (or indeed at any level whatsoever), the permit rescission provides the permanent and enforceable emission reductions necessary to bring the Arecibo Area into attainment with the 2008 Lead NAAQS. As stated in both the lead SIP revision submitted by the PREQB and the EPA's proposed approval, should TBRCI or any other entity decide to start up business as a secondary lead smelter facility in the Arecibo Area, the company will need to obtain the appropriate permits to operate in accordance with all applicable laws and regulations of the Commonwealth of Puerto Rico and the EPA, including the Commonwealth of Puerto Rico RCAP, the Puerto Rico Environmental Public Policy Act, Act 416–2004 as amended (PREPPA Act 416) and CAA Section 112 requirements. These relevant laws and programs are intended, among other things, to ensure that emissions from new sources do not interfere with the attainment of the 2008 Lead NAAQS.

The EPA and the PREQB also considered fugitive emissions from the piles of lead slag and other materials stored on the facility property. It is noteworthy that the TBRCI site has been proposed for the Superfund National Priorities List [2] and that the EPA has been conducting activities on TBRCI property since September 2015. Additionally, RCAP Rule 404, which requires any person to take reasonable precautions to prevent fugitive emissions from becoming airborne has already been adopted, is approved into the Puerto Rico's SIP.[3] The requirements of RCAP Rule 404 are, therefore, enforceable measures for controlling fugitive emissions from the TBRCI site.

9. *Comment:* Earthjustice stated that the Energy Answers and PREPA Cambalache Plant are the highest 2016 emitters and should be the subject of more stringent emissons limitations and control measures in the Arecibo SIP Revision.

EPA Response: The EPA disagrees. *See* Response to Comment #8. The PREQB's modeling indicates that the shutdown of TBRCI, coupled with the backstop of the fugitive emissions provisions in RCAP Rule 404, are sufficient for the Arecibo Area to achieve attainment of the 2008 Lead NAAQS.

10. *Comment:* Garcia/Velez stated that the PREQB should not have included facilities that are not operational in the 2016 projected emission inventory.

EPA Response: A projected emissions inventory is the basis for determining whether the area will attain and maintain the lead standard based on permitted allowances. As discussed in Response to Comment #3, the proposed sources Energy Answers and Sunbeam were added to the projected emissions inventory for 2016. This is a conservative approach for modeling the air quality in the Arecibo Area. By including the Energy Answers and Sunbeam Synergy facilities as part of the 2016 projected inventory for the attainment demonstration, the PREQB's lead SIP revision is demonstrating that future growth in lead emissions from these sources will not cause or contribute to a violation of the 2008 Lead NAAQS. The Arecibo ambient air lead attainment demonstration SIP is not required to address specific proposed facilities. Rather, consistent with RCAP Rule 203, pre-construction requirements, those proposed facilities are required to conduct a demonstration of compliance with all applicable rules and regulations at the time of permit application. In addition, proposed facilities will be required to comply with PREQB's approved NNSR program. The Arecibo attainment demonstration model demonstrates that the planned facilities will not cause an exceedance in the 2008 Lead NAAQS.

11. *Comment:* Several commenters questioned whether, if TBRCI is the cause of the ambient air lead problem in the area and its 2016 potential emissions of lead are 0.33538 tpy, then Energy Answers with slightly higher emissions may also be a problem.

EPA response: The 2016 projected emissions inventory for TBRCI in the January 30, 2015 lead SIP submittal was 0.33538 tpy. This number represented stack emissions from TBRCI. However, now that TBRCI's permits have been pulled and the facility has shut down, stack emissions from this facility are zero, as reflected in the more recent August 30, 2016 SIP revision. The lead SIP attainment demonstration in the 2015 submission assumed continued operation at TBRCI which includes fugitive emissions and materials handling and transport from TBRCI. When TBRCI was modeled in the previous submission, the modeling indicated that these low elevation fugitive emissions and materials handling and transport were the major contributor to overall emissions because they are subject to less dispersion, even exceeding the magnitude of the stack emissions. As modeled in the 2015 submission, TBRCI's cumulative emissions resulted in the Arecibo Area exceeding the 2008 Lead NAAQS of 0.15 $\mu g/m^3$. However, with the cessation of operations at TBRCI, the PREQB's updated modeling shows the area coming into attainment.

Regardless, while the emissions inventory number associated with the

[2] National Priorities List Proposed Site, The Battery Recycling Company, *https://semspub.epa.gov/work/02/363680.pdf,* 81 FR 62428 (September 9, 2016).

[3] 62 FR 3213 (January 22, 1997), 40 CFR 52.2723.

Energy Answers proposed incinerator may be similar to TBRCI's combined stack and fugitive/materials handling and transport emissions, the model in the Puerto Rico's SIP shows that the proposed incinerator's maximum air quality impact for lead is close to Energy Answer's fence-line and results in a lead concentration for the Arecibo Area that is 200 times less than the level of the 2008 Lead NAAQS. The model also shows that the proposed incinerator's impact in the Arecibo Area is 3000 times less than the 2008 Lead NAAQS and would have a negligible contribution to the lead emissions in the area. This information is included in Energy Answer's PSD permit application as well as EPA's Response to Comment document regarding its permit.

12. *Comment:* Earthjustice stated that even with TBRCI shutdown, the PREQB estimates that the other lead-emitting facilities in the area, collectively, will emit 0.78 tons of lead, a significant amount that is still about 65 percent of the 1.21 tons of lead that TBRCI emitted in 2011, leading to nonattainment.

EPA Response: The EPA disagrees that emissions from other lead-emitting facilities will result in nonattainment in the Arecibo Area. The attainment demonstration is not simply based on a summing of air lead emission values from all sources in the area, as presented by the commenter. Rather, the EPA's Lead Guidance requires that an attainment demonstration include an emissions inventory, ambient air monitoring data, and the EPA-approved air quality modeling dispersion analysis, which also takes into consideration atmospheric conditions, dispersion, chemical transformation in the area under analysis, emissions, background concentration, stack heights and stack down wash and building wake. The modeled attainment demonstration accounted for the collective ambient air lead emissions from sources in Arecibo and in bordering municipalities, including the emissions cited by the commenter, and shows that those emissions will not result in lead levels above the 2008 Lead NAAQS in the nonattainment area. *See* PREQB SIP Plan Appendix C.

13. *Comment:* Earthjustice stated that the EPA cannot approve a SIP revision when the air monitoring data does not demonstrate that attainment can be achieved until the end of 2018.

EPA Response: The EPA disagrees with this comment. As stated in the Lead Guidance, ''[a]n attainment SIP may be approvable even if the state does not anticipate having 3 full years of clean data by the attainment date. *See EDF* v. *EPA,* 369 F.3d 193 (2d Cir. 2004); *Sierra Club* v. *EPA,* 356 F.3d 296 (D.C. Cir. 2004) amended 2004 WL 877850 (D.C. Cir. 2004).'' Lead Guidance, page 4, Question 9. The ambient air monitoring data show clean data starting in September 2015, following the withdrawal of TBRCI permits on August 19, 2015; the closure of TBRCI will facilitate the attainment of the 2008 lead NAAQS by 2018. The fact that the area is unable to attain until 2018 does not abrogate either the PREQB's statutory obligation to submit a SIP demonstrating how it will reach attainment of the NAAQS as expeditiously as possible, or the EPA's responsibility to act on such a SIP submission. The EPA's approval of the attainment plan is based on the finding that the area meets all applicable lead NAAQS attainment plan requirements under CAA sections 172, 191, and 192, 42 U.S.C. 7502, 7514, and 7514a.

14. *Comment:* Earthjustice commented that one of the two lead air monitoring sites referenced in the SIP, Victor Santoni Cordero site, was not operational from October 3, 2015, to May 6, 2016, and that at the other lead air monitoring site, Road #2, there are data gaps between December 13, 2014, and January 12, 2015, and between July 5, 2015, and September 3, 2015. Earthjustice asserted that the EPA should ensure that both air monitoring sites are fully operational before approving the Arecibo Lead SIP Revision. Earthjustice stated that the PREQB has never published the air monitoring data relative to ambient air lead in Arecibo.

EPA Response: The EPA disagrees with Earthjustice's characterization of the PREQB's air monitoring network in the Arecibo Area. In accordance with 40 CFR part 58, appendix D section 4.5, the state is required to have at a minimum one source-oriented air monitoring site located to measure the maximum lead concentration in ambient air resulting from each non-airport lead source which emits 0.50 or more tpy. In Arecibo, the PREQB operates two monitoring sites, which is more than the required number. The data from both of the monitors is used to determine compliance with the NAAQS. Any 3-month period can show a violation of the standard, while a 36-month period can show attainment of the standard. While it is optimal to collect all the data points, mechanical issues may occur, thereby making sampling difficult. If an issue arises, the PREQB and the EPA work as expeditiously as possible to address it. Even though the Victor Santoni Cordero site was not operational from October 3, 2015, to May 6, 2016, the closer monitoring site, Road #2 was operational at that time. Similarly, the PREQB advised the EPA that, due to a mechanical issue, samples were not collected from July 11, 2015 to August 28, 2015 (nine samples) at the Road #2 site. However, the Victor Cordero site continued to operate during that time with sampling data ranging from 0.002 $\mu g/m^3$ to 0.005 $\mu g/m^3$. Consistent with 40 CFR part 58, appendix D section 4.5, one air monitoring site was operational. This data gap may affect the timeframe (three years of monitored clean data) by which the area can show attainment of the standard; however, it does not affect the SIP process of approving a plan to attain the standard.

The data is published in AQS as required by 40 CFR part 58. The public can access this data by visiting *www.epa.gov/airdata.*

15. *Comment:* Earthjustice stated that the proposed SIP action overlooks air quality monitoring data that clearly show continued exceedances of the lead NAAQS (0.15 $\mu g/m^3$) even after the temporary shutdown of TBRCI and, therefore, the cessation of operations at TBRCI cannot serve as a basis for demonstrating attainment.

EPA Response: When TBRCI ceased lead smelter operations on June 2, 2014, the handling of the slag piles continued, causing the exceedances of the 2008 Lead NAAQS until July 2015. The air quality data measured after the PREQB rescinded TBRCI's permits (August 19, 2015) demonstrates that pulling the source's operating permit and terminating handling of slag piles, as opposed to just ceasing stack emissions, is an appropriate control measure that has a positive effect on the air quality. These slag piles, which generate the fugitive emissions, are part of a Superfund removal action. As identified in EPA's proposed approval, the existing SIP provision, Puerto Rico RCAP Rule 404, is in place as a control measure for fugitive emissions. RCAP Rule 404(E) provides that ''[a]ny new or modified source, the construction of which causes or may cause fugitive emissions, shall apply for a permit as required in Rule 203.'' All other control measures were discussed in the proposed approval. Also *see* Response to Comment #18.

Date	Activity	Air monitoring data
June 2010	NAAQS exceeded	0.201 μg/m³ 3 month rolling avg.
June 2014	TBRCI ceased operations	0.423 μg/m³ 3 month rolling avg.
July 2015	Last time NAAQS was exceeded	0.184 μg/m³ 3 month rolling avg.
September 2015	Individual sample dated September 3, 2015 showed a decrease; PREQB pulled TBRCI permits prior to this sample collection. EPA Superfund personnel on TBRCI property in September 2015.	0.004 μg/m³ individual sample.
November 2015	Values below NAAQS	0.022 μg/m³ 3 month rolling avg.
May 2016	Values below NAAQS	0.021 μg/m³ 3 month rolling avg.

16. *Comment:* Earthjustice stated that the contingency measures included in the lead SIP revision of increased monitoring, investigation, removal orders, air pollution alerts, etc., require 'further action by the State' and therefore do not satisfy the CAA.

EPA Response: As Earthjustice indicates, CAA section 172(c)(9) provides that ''contingency measures [are] to take effect in any such case without further action by the State or the Administrator.'' In *Greenbaum* v. *EPA,* 370 F.3d 527 (6th Cir. 2004), in upholding a redesignation determination by the EPA, the court agreed with the EPA's interpretation that ''without further action'' means without further rulemaking by the State or the EPA. The court stated, citing to the EPA's Calcagni memo,[4] ''With respect to triggers, the EPA correctly argues that monitored violations of the NAAQS can be possible triggers. Calcagni Memo at 12. The contingency measures may be triggered upon notification by the Ohio EPA or the United States EPA of a determination by either agency that a violation has occurred. With respect to schedules, the EPA correctly explains that the contingency measures were initially developed pursuant to [CAA] § 172(c)(9), which requires that the measures take effect without further action by the State or the EPA, which the EPA interprets to mean 'that no further rulemaking activities by the State or the EPA would be needed to implement the contingency measures.' State Implementation Plans; General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990, 57 FR 13498, 13512 (April 16, 1992). The Calcagni Memorandum also states that 'for the purposes of Section 175A, a State is not required to have fully adopted contingency measures that will take effect without further action by the State in order for the maintenance plan to be approved.' Calcagni Memorandum at 12. Thus, no pre-determined schedule for adoption of the measures is necessary in each specific case.'' *Greenbaum,* 370 F.3d at 541.

The contingency measures in Puerto Rico's attainment plan can take effect without further rulemaking activities; thus, the EPA disagrees that the contingency measures included in the SIP revision do not satisfy the CAA.

17. *Comment:* Earthjustice stated that monitoring, by itself, does not satisfy the CAA's requirements for a control measure, and therefore cannot be a contingency measure.

EPA Response: The EPA disagrees that the PREQB intends for monitoring, by itself, to serve as a contingency measure. Monitoring is used as a trigger to activate contingency measures, not as a control measure and potential contingency measure itself. The substantive contingency measures the EPA is approving can be found in the PREQB SIP submittal at pages 24–27.

18. *Comment:* Earthjustice reviewed the EPA Air Quality Data and noted that exceedances of the lead NAAQS have been measured in Arecibo at least 26 times after the TBRCI shutdown, as recent as May 2016.

EPA Response: The data points Earthjustice referenced are not exceedances of the NAAQS. Compliance with the 2008 Lead NAAQS is assessed by averaging data points over a three month period, not on the basis of individual values. While the individual data points may be greater than 0.15 μg/m³, this does not mean there has been a violation of the NAAQS; once the relevant values averaged over three months, the data is still below the 2008 Lead NAAQS.

III. What action is EPA taking?

The EPA is approving into the SIP Puerto Rico's lead attainment plan for the Arecibo Area. Specifically, the EPA is taking final action to approve Puerto Rico's August 30, 2016 submittal, which includes the attainment demonstration, base year emissions inventory, modeling, and contingency measures, and addresses RACM/RACT and the RFP plan.[5] Permits for the lead smelter, TBRCI, which was documented as the source of high lead emissions contributing to nonattainment of the NAAQS, have been withdrawn and TBRCI is no longer operating. The requirements for RACM/RACT and the RFP plan are satisfied because the Commonwealth of Puerto Rico demonstrated that the Area will attain the 2008 Lead NAAQS as expeditiously as practicable, and could not implement any additional measures to attain the NAAQS any sooner.

The EPA notes that since September 2015, the month after the PREQB withdrew the construction and operating permits for TBRCI, the data from the source oriented Arecibo air monitoring site indicates the lead concentration in the ambient air has been below the three-month rolling average for the 2008 Lead NAAQS and the 2016 modeling indicates the area will attain the NAAQS. The SIP for the Arecibo Area adequately demonstrates a trajectory towards attainment; thus, the EPA is approving the attainment demonstration, emissions inventory, modeling, control measures, RACM/RACT and RFP.

The EPA's review of the materials submitted indicates that Puerto Rico has developed the Lead attainment plan in accordance with the requirements of the CAA, 40 CFR part 51, and the EPA's technical requirements for a Lead SIP. Therefore, the EPA is approving into the SIP the Lead attainment plan for Arecibo, Puerto Rico.

A detailed analysis of the EPA's review and rationale for approving the lead SIP submittal as addressing these CAA requirements may be found in the November 7, 2016 proposed rulemaking action (81 FR 78097) which is available on line at *www.regulations.gov,* Docket ID Number EPA–R02–OAR–2016–0560.

[4] The ''Calcagni Memorandum,'' referenced above, is a memorandum dated September 4, 1992, to EPA Regional Air Directors from John Calcagni, Director, EPA Air Quality Management Division, titled ''Procedures for Processing Requests to Redesignate Areas to Attainment.'' The Calcagni Memorandum is available at *https://www.epa.gov/sites/production/files/2016-03/documents/calcagni_memo_-_procedures_for_processing_requests_to_redesignate_areas_to_attainment_090492.pdf.*

[5] *See* EPA's proposed approval of the Attainment Demonstration for the Arecibo Lead Nonattainment Area 81 FR 78097 (November 7, 2016).

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and,
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and the EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 12, 2017. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: June 20, 2017.

Catherine R. McCabe,

Acting Regional Administrator, Region 2.

For the reasons set forth in the preamble, the Environmental Protection Agency amends part 52 of chapter I, title 40 of the Code of Federal Regulations as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart BBB—Puerto Rico

■ 2. Section 52.2720 is amended by adding paragraph (c)(40) to read as follows:

§ 52.2720 Identification of plan.

* * * * *

(c) * * *

(40) Revisions to the State Implementation Plan submitted by the Puerto Rico Environmental Quality Board (EQB) on August 30, 2016 for the 2008 lead NAAQS.

(i) [Reserved]

(ii) Additional information—EPA approves Puerto Rico's Attainment Demonstration for the Arecibo Lead Nonattainment Area including the base year emissions inventory, modeling demonstration of lead attainment, contingency measures, reasonably available control measures/reasonably available control technology, and reasonable further progress.

■ 3. Add § 52.2727 to read as follows:

§ 52.2727 Control strategy and regulations: Lead.

EPA approves revisions to the Puerto Rico State Implementation Plan submitted on August 30, 2016, consisting of the base year emissions inventory, modeling demonstration of lead attainment, contingency measures, reasonably available control measures/ reasonably available control technology, and reasonable further progress for the Arecibo Lead Nonattainment Area. These revisions contain control measures that will bring Puerto Rico into attainment for the Lead NAAQS by the end of 2018.

[FR Doc. 2017–14730 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2016–0296; A–1–FRL–9964–81–Region 1]

Air Plan Approval; Maine; Decommissioning of Stage II Vapor Recovery Systems

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the State of Maine Department of Environmental Protection (Maine DEP). This SIP revision includes regulatory amendments that repeal

Stage II vapor recovery requirements at gasoline dispensing facilities (GDFs) as of January 1, 2012, with the mandate that all Stage II equipment be decommissioned by January 1, 2013. Maine DEP's submission to EPA also included a demonstration that such removal is consistent with the Clean Air Act and relevant EPA guidance. This revision also includes regulatory amendments that update Maine's testing and certain equipment requirements for Stage I vapor recovery systems at GDFs. The intended effect of this action is to approve Maine's revised gasoline vapor recovery regulations. This action is being taken in accordance with the Clean Air Act.

DATES: This rule is effective on August 14, 2017.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R01–OAR–2016–0296. All documents in the docket are listed on the *http://www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *i.e.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available at *http://www.regulations.gov* or at the U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, Air Quality Planning Unit, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Eric Rackauskas, Air Quality Planning Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square, Suite 100 [mail code: OPE05–2], Boston, MA 02109–3912, telephone number (617) 918–1628, fax (617) 918–0628, email *rackauskas.eric@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

Table of Contents

I. Background and Purpose

On May 8, 2017 (82 FR 21348), EPA published a Notice of Proposed Rulemaking (NPR) for the State of Maine. The NPR proposed approval of Maine's revised Chapter 118, *Gasoline Dispensing Facilities Vapor Control,* that had been amended to allow for and require the decommissioning of all Stage II vapor recovery systems at GDFs in York, Cumberland, and Sagadahoc Counties. The updated regulation also strengthened the testing requirements for Stage I systems throughout the State. The formal SIP revision was submitted by the Maine DEP on April 13, 2016, and included a demonstration that decommissioning the Stage II vapor recovery systems is consistent with the Clean Air Act and EPA guidance.

A detailed discussion of Maine's April 13, 2016 SIP revision and EPA's rationale for proposing approval of the SIP revision were provided in the NPR and will not be restated in this notice. No public comments were received on the NPR.

II. Final Action

EPA is approving Maine's April 13, 2016 SIP revision. Specifically, EPA is approving Maine's revised Chapter 118, *Gasoline Dispensing Facilities Vapor Control,* and incorporating it into the Maine SIP. EPA is approving this SIP revision because it meets all applicable requirements of the Clean Air Act and relevant EPA guidance, and it will not interfere with attainment or maintenance of the ozone NAAQS.

III. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the of the State of Maine's revised Chapter 118 described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents generally available through *http://www.regulations.gov.*

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a

report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 12, 2017. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: June 26, 2017.

Deborah A. Szaro,

Acting Regional Administrator, EPA New England.

Part 52 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart U—Maine

■ 2. In § 52.1020:

■ a. In paragraph (c), the table titled ''EPA-Approved Maine Regulations'' is amended by revising the entry for ''Chapter 118.''

■ b. In paragraph (e), the table titled ''Maine Non Regulatory'' is amended by adding an entry for ''Demonstration of Compliance with the Comparable Measures Requirement of CAA section 184(b)(2)'' at the end of the table.

The revision and addition read as follows:

§ 52.1020 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED MAINE REGULATIONS

State citation	Title/subject	State effective date	EPA approval date EPA approval date and citation [1]	Explanations
*	* *	*	*	* *
Chapter 118	Gasoline Dispensing Facilities Vapor Control.	1/1/2012	7/14/2017, [Insert **Federal Register** citation].	Includes decommissioning of Stage II vapor recovery systems.
*	* *	*	*	* *

[1] In order to determine the EPA effective date for a specific provision listed in this table, consult the **Federal Register** notice cited in this column for the particular provision.

* * * * * (e) * * *

MAINE NON REGULATORY

Name of non regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approved date [3]	Explanations
*	* *	*	*	* *
Demonstration of Compliance with the Comparable Measures Requirement of CAA section 184(b)(2).	York, Cumberland, and Sagadahoc Counties.	4/13/2016	7/14/2017, [Insert **Federal Register** citation].	Emission calculations and narrative associated with Stage II Decommissioning SIP revision.

[3] In order to determine the EPA effective date for a specific provision listed in this table, consult the **Federal Register** notice cited in this column for the particular provision.

[FR Doc. 2017–14735 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2016–0254; FRL–9962–05]

Difenoconazole; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes tolerances for residues of difenoconazole in or on cottonseed subgroup 20C; rice, grain; and rice, wild, grain. It also amends the existing tolerance for cotton, gin byproducts, and removes the tolerance for cotton, undelinted seed. Syngenta Crop Protection, LLC requested these

tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

DATES: This regulation is effective July 14, 2017. Objections and requests for hearings must be received on or before September 12, 2017, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2016–0254, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Michael Goodis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of EPA's tolerance regulations at 40 CFR part 180 through the Government Printing Office's e-CFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2016–0254 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before September 12, 2017. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2016–0254, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

II. Summary of Petitioned-For Tolerance

In the **Federal Register** of February 7, 2017 (82 FR 9555) (FRL–9956–86), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP 6F8445) by Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419. The petition requested that 40 CFR 180.475 be amended by establishing tolerances for residues of the fungicide difenoconazole, 1-[2-[2-chloro-4-(4-chlorophenoxy)phenyl]-4-methyl-1,3-dioxolan-2-ylmethyl]-1H-1,2,4-triazole, in or on cottonseed subgroup 20C at 0.40 parts per million (ppm); rice, grain at 7 ppm; and rice, wild, grain at 7 ppm. In addition, the petition requested that the existing tolerance for cotton, gin byproducts be increased from 0.05 ppm to 15 ppm; and requested the tolerance in/on cotton, undelinted seed at 0.05 ppm as a seed treatment be removed from 40 CFR 180.475 because the proposed new tolerance in/on cottonseed subgroup 20C reflecting foliar uses will be adequate to support the seed treatment uses. That document referenced a summary of the petition prepared by Syngenta Crop Protection, LLC, the registrant, which is available in the docket, *http://www.regulations.gov.* There were no comments received in response to the notice of filing.

III. Aggregate Risk Assessment and Determination of Safety

Section 408(b)(2)(A)(i) of FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .''

Consistent with FFDCA section 408(b)(2)(D), and the factors specified in FFDCA section 408(b)(2)(D), EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for difenoconazole including exposure resulting from the tolerances established by this action. EPA's assessment of exposures and risks associated with difenoconazole follows.

A. Toxicological Profile

EPA has evaluated the available toxicity data and considered its validity, completeness, and reliability as well as the relationship of the results of the studies to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children.

Subchronic and chronic studies with difenoconazole in mice and rats showed decreased body weights, decreased body weight gains and effects on the liver (*e.g.* hepatocellular hypertrophy, liver necrosis, fatty changes in the liver). No systemic toxicity was observed at the limit dose in the most recently submitted rat dermal toxicity study.

The available toxicity studies indicated no increased susceptibility of rats or rabbits from *in utero* or postnatal exposure to difenoconazole. In prenatal developmental toxicity studies in rats and rabbits and in the 2-generation reproduction study in rats, fetal and offspring toxicity, when observed, occurred at equivalent or higher doses than in the maternal and parental animals.

In a rat developmental toxicity study, developmental effects were observed at doses higher than those which caused maternal toxicity. Developmental effects in the rat included increased incidence of ossification of the thoracic vertebrae and thyroid, decreased number of sternal centers of ossification, increased number of ribs and thoracic vertebrae, and decreased number of lumbar vertebrae. In the rabbit study, developmental effects (increases in post-implantation loss and resorptions and decreases in fetal body weight) were also seen at maternally toxic doses (decreased body weight gain and food consumption). Since the developmental effects are more severe than the maternal effects, qualitative susceptibility is indicated in the rabbit developmental study; however, the selected POD is protective of this effect. In the 2-generation reproduction study in rats, toxicity to the fetuses and offspring, when observed, occurred at equivalent or higher doses than in the maternal and parental animals.

In an acute neurotoxicity study in rats, reduced fore-limb grip strength was observed on day one in males at the lowest-observed-adverse-effect-level (LOAEL), and clinical signs of neurotoxicity were observed in females only at the highest dose tested. In a subchronic neurotoxicity study in rats, decreased hind limb strength was observed in males only at the mid- and high-doses. The effects observed in acute and subchronic neurotoxicity studies were considered transient.

Although there is some evidence that difenoconazole affects antibody levels at doses that cause systemic toxicity, there are no indications in the available studies that organs associated with immune function, such as the thymus and spleen, are affected by difenoconazole.

Difenoconazole is not mutagenic, and no evidence of carcinogenicity was seen in rats. Evidence for carcinogenicity was seen in mice (liver tumors), but statistically significant carcinoma tumors were only induced at excessively-high doses. Adenomas (benign tumors) and liver necrosis only were seen at 300 ppm (46 and 58 milligram/kilogram/day (mg/kg/day) in males and females, respectively); the NOAEL in that study was 30 ppm. EPA has concluded that the chronic point of departure (POD) for assessing chronic risk (0.96 mg/kg/day) will be protective of any cancer effects for the following reasons: (1) Tumors were seen in only one species; (2) carcinoma tumors were observed only at the two highest doses (2,500 and 4,500 ppm) in the mouse carcinogenicity study; (3) benign tumors and necrosis were observed at the mid-dose (300 ppm) ; (4) the absence of tumors at the study's lower doses (30 ppm); (5) the absence of genotoxic or mutagenic effects. The cRfD of 0.96 mg/kg/day is well below the no-observed-adverse-effect-level (NOAEL) of the mouse carcinogenicity study of 30 ppm (4.7 and 5.6 mg/kg/day in males and females, respectively), at which no effects on the biological endpoints relevant to tumor development (*i.e.,* hepatocellular hypertrophy, liver necrosis, fatty changes in the liver and bile stasis) were seen. As a result, EPA has concluded that a nonlinear RfD approach is appropriate for assessing cancer risk to difenoconazole and a separate quantitative cancer exposure assessment is unnecessary.

Specific information on the studies received and the nature of the adverse effects caused by difenoconazole as well as the no-observed-adverse-effect-level (NOAEL) and the lowest-observed-adverse-effect-level (LOAEL) from the toxicity studies can be found at *http://www.regulations.gov* in document ''Difenoconazole: Human Health Risk Assessment for Proposed New Foliar Uses on Cotton, Rice and Wild Rice'' at pp. 20–21 in docket ID number EPA–HQ–OPP–2016–0254.

B. Toxicological Points of Departure/Levels of Concern

Once a pesticide's toxicological profile is determined, EPA identifies toxicological points of departure (POD) and levels of concern to use in evaluating the risk posed by human exposure to the pesticide. For hazards that have a threshold below which there is no appreciable risk, the toxicological POD is used as the basis for derivation of reference values for risk assessment. PODs are developed based on a careful analysis of the doses in each toxicological study to determine the dose at which no adverse effects are observed (the NOAEL) and the lowest dose at which adverse effects of concern are identified (the LOAEL). Uncertainty/safety factors are used in conjunction with the POD to calculate a safe exposure level—generally referred to as a population-adjusted dose (PAD) or a reference dose (RfD)—and a safe margin of exposure (MOE). For non-threshold risks, the Agency assumes that any amount of exposure will lead to some degree of risk. Thus, the Agency estimates risk in terms of the probability of an occurrence of the adverse effect expected in a lifetime. For more information on the general principles EPA uses in risk characterization and a complete description of the risk assessment process, see *http://www2.epa.gov/pesticide-science-and-assessing-pesticide-risks/assessing-human-health-risk-pesticides.*

A summary of the toxicological endpoints for difenoconazole used for human risk assessment is discussed in Unit III.B. of the final rule published in the **Federal Register** of April 2, 2015 (80 FR 17697) (FRL–9923–82).

C. Exposure Assessment

1. *Dietary exposure from food and feed uses.* In evaluating dietary exposure to difenoconazole, EPA considered exposure under the petitioned-for tolerances as well as all existing difenoconazole tolerances in 40 CFR 180.475. EPA assessed dietary exposures from difenoconazole in food as follows:

i. *Acute exposure.* Quantitative acute dietary exposure and risk assessments are performed for a food-use pesticide, if a toxicological study has indicated the possibility of an effect of concern occurring as a result of a 1-day or single exposure.

Such effects were identified for difenoconazole. In estimating acute dietary exposure, EPA used food consumption information from the United States Department of Agriculture (USDA) National Health and Nutrition

Examination Survey, What We Eat in America, (NHANES/WWEIA). This dietary survey was conducted from 2003 to 2008. As to residue levels in food, EPA assumed tolerance-level residues, 100 percent crop treated (PCT), and available empirical or DEEM (ver. 7.81) default processing factors.

ii. *Chronic exposure.* In conducting the chronic dietary exposure assessment EPA used the food consumption data from the USDA National Health and Nutrition Examination Survey, What We Eat in America, (NHANES/WWEIA). This dietary survey was conducted from 2003 to 2008. As to residue levels in food, EPA used tolerance-level residues for some commodities, average field trial residues and USDA Pesticide Data Program monitoring samples for the remaining commodities, available empirical or DEEM (ver.7.81) default processing factors, and average PCT assumptions for some commodities.

iii. *Cancer.* Based on the data summarized in Unit III.A., EPA has concluded that a nonlinear RfD approach is appropriate for assessing cancer risk to difenoconazole. Therefore, a separate quantitative cancer exposure assessment is unnecessary since the chronic dietary risk estimate will be protective of potential cancer risk.

iv. *Anticipated residue and percent crop treated (PCT) information.* Section 408(b)(2)(E) of FFDCA authorizes EPA to use available data and information on the anticipated residue levels of pesticide residues in food and the actual levels of pesticide residues that have been measured in food. If EPA relies on such information, EPA must require pursuant to FFDCA section 408(f)(1) that data be provided 5 years after the tolerance is established, modified, or left in effect, demonstrating that the levels in food are not above the levels anticipated. For the present action, EPA will issue such data call-ins as are required by FFDCA section 408(b)(2)(E) and authorized under FFDCA section 408(f)(1). Data will be required to be submitted no later than 5 years from the date of issuance of these tolerances.

Section 408(b)(2)(F) of FFDCA states that the Agency may use data on the actual percent of food treated for assessing chronic dietary risk only if:

- Condition a: The data used are reliable and provide a valid basis to show what percentage of the food derived from such crop is likely to contain the pesticide residue.
- Condition b: The exposure estimate does not underestimate exposure for any significant subpopulation group.
- Condition c: Data are available on pesticide use and food consumption in a particular area, the exposure estimate does not understate exposure for the population in such area.

In addition, the Agency must provide for periodic evaluation of any estimates used. To provide for the periodic evaluation of the estimate of PCT as required by FFDCA section 408(b)(2)(F), EPA may require registrants to submit data on PCT.

For the chronic dietary exposure assessment, the Agency used average PCT estimates for existing uses as follows: Almond 10%, apple 20%, apricot 10%, broccoli 2.5%, Brussels sprouts 2.5%, cabbage 5%, cantaloupe 2.5%, carrot 5%, cauliflower 2.5%, cherry 2.5%, cucumber 5%, garlic 5%, grape 10%, grapefruit 2.5%, hazelnut 1%, nectarine 2.5%, onions 5%, orange 2.5%, peach 2.5%, pear 10%, pecan 2.5%, pepper 5%, pistachio 5%, plum/prune 10%, potato 20%, pumpkin 2.5%, soybean 2.5%, squash 5%, strawberry 2.5%, sugar beet 15%, tangerine 2.5%, tomato 25%, walnut 1%, watermelon 5%, and wheat (seed treatment) 10%.

In most cases, EPA uses available data from United States Department of Agriculture/National Agricultural Statistics Service (USDA/NASS), proprietary market surveys, and the National Pesticide Use Database for the chemical/crop combination for the most recent 6–7 years. EPA uses an average PCT value for chronic dietary risk analysis. The average PCT value for each existing use is derived by combining available public and private market survey data for that use and averaged across all observations and is rounded up to the nearest multiple of 5%, for use in the analysis unless the average PCT value is estimated at less than 2.5% or 1%, in which case the Agency uses 2.5% or 1%, respectively, as the average PCT value in the analysis. EPA uses a maximum PCT value for acute dietary risk analysis. The maximum PCT value is the highest observed maximum value reported within the recent 6 years of available public and private market survey data for the existing use and rounded up to the nearest multiple of 5% for use in the analysis, unless the maximum PCT value is estimated at less than 2.5%, in which case the Agency uses 2.5% as the maximum PCT value in the analysis.

The Agency believes that the three conditions discussed in Unit III.C.1.iv. have been met. With respect to Condition a, PCT estimates are derived from Federal and private market survey data, which are reliable and have a valid basis. The Agency is reasonably certain that the percentage of the food treated is not likely to be an underestimation. As to Conditions b and c, regional consumption information and consumption information for significant subpopulations is taken into account through EPA's computer-based model for evaluating the exposure of significant subpopulations including several regional groups. Use of this consumption information in EPA's risk assessment process ensures that EPA's exposure estimate does not understate exposure for any significant subpopulation group and allows the Agency to be reasonably certain that no regional population is exposed to residue levels higher than those estimated by the Agency. Other than the data available through national food consumption surveys, EPA does not have available reliable information on the regional consumption of food to which difenoconazole may be applied in a particular area.

2. *Dietary exposure from drinking water.* The drinking water assessment was performed using a total toxic residue method, which considers both parent difenoconazole and its major metabolite, CGA 205375, in surface and groundwater. Therefore, the Agency used screening-level water exposure models in the dietary exposure analysis and risk assessment for difenoconazole and its major metabolite in drinking water. These simulation models take into account data on the physical, chemical, and fate/transport characteristics of difenoconazole and CGA 205375. Further information regarding EPA drinking water models used in pesticide exposure assessment can be found at *http://www2.epa.gov/pesticide-science-and-assessing-pesticide-risks/about-water-exposure-models-used-pesticide.*

Based on the Tier II Pesticide in Water Calculator, the Revised Tier 1 Rice Model, the Surface Water Concentration Calculator, and Pesticide Root Zone Model Ground Water (PRZM GW), the estimated drinking water concentrations (EDWCs) of total toxic residues of difenoconazole for acute exposures are estimated to be 33.4 parts per billion (ppb) for surface water and 2.0 ppb for ground water. For chronic exposures estimated drinking water concentrations (EDWCs) of total toxic residues of difenoconazole for non-cancer assessments are estimated to be 27.8 ppb for surface water and 0.60 ppb for ground water.

Modeled estimates of drinking water concentrations were directly entered into the dietary exposure model. For acute dietary risk assessment, the water concentration value of 33.4 ppb was used to assess the contribution to drinking water. For chronic dietary risk assessment, the water concentration of

value 27.8 ppb was used to assess the contribution to drinking water.

3. *From non-dietary exposure.* The term ''residential exposure'' is used in this document to refer to non-occupational, non-dietary exposure (*e.g.,* for lawn and garden pest control, indoor pest control, termiticides, and flea and tick control on pets).

Difenoconazole is currently registered for the following uses that could result in residential exposures: Treatment of ornamental plants in commercial and residential landscapes and interior plantscapes. EPA assessed residential exposure using the following assumptions: For residential handlers, adult short-term dermal and inhalation exposure is expected from mixing, loading, and applying difenoconazole on ornamentals (gardens and trees). For residential post-application exposures, short-term dermal exposure is expected for both adults and children from post-application activities in treated residential landscapes.

The scenarios used in the aggregate assessment were those that resulted in the highest exposures. The highest exposures consist of the short-term dermal exposure to adults from post-application activities in treated gardens and short-term dermal exposure to children 6 to 11 years old from post-application activities in treated gardens. Further information regarding EPA standard assumptions and generic inputs for residential exposures may be found at *http://www2.epa.gov/pesticide-science-and-assessing-pesticide-risks/standard-operating-procedures-residential-pesticide.*

4. *Cumulative effects from substances with a common mechanism of toxicity.* Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide's residues and ''other substances that have a common mechanism of toxicity.''

Difenoconazole is a member of the conazole class of fungicides containing the 1,2,4-triazole moiety. Although conazoles act similarly in plants (fungi) by inhibiting ergosterol biosynthesis, there is not necessarily a relationship between their pesticidal activity and their mechanism of toxicity in mammals. Structural similarities do not constitute a common mechanism of toxicity. Evidence is needed to establish that the chemicals operate by the same, or essentially the same, sequence of major biochemical events (EPA, 2002).

In the case of conazoles, however, a variable pattern of toxicological responses is found; some are hepatotoxic and hepatocarcinogenic in mice. Some induce thyroid tumors in rats. Some induce developmental, reproductive, and neurological effects in rodents. Furthermore, the conazoles produce a diverse range of biochemical events including altered cholesterol levels, stress responses, and altered DNA methylation. It is not clearly understood whether these biochemical events are directly connected to their toxicological outcomes. Thus, there is currently no evidence to indicate that difenoconazole shares a common mechanism of toxicity with any other conazole pesticide, and EPA is not following a cumulative risk approach for this tolerance action. For information regarding EPA's procedures for cumulating effects from substances found to have a common mechanism of toxicity, see EPA's Web site at *http://www2.epa.gov/pesticide-science-and-assessing-pesticide-risks/cumulative-assessment-risk-pesticides.*

This class of compounds can form the common metabolite 1,2,4-triazole and two triazole conjugates (triazolylalanine and triazolylacetic acid). To support existing tolerances and to establish new tolerances for triazole-containing pesticides, including difenoconazole, EPA conducted a human health risk assessment for exposure to 1,2,4-triazole, triazolylalanine, and triazolylacetic acid resulting from the use of all current and pending uses of any triazole-containing fungicide. The risk assessment is a highly conservative, screening-level evaluation in terms of hazards associated with common metabolites (*e.g.,* use of a maximum combination of uncertainty factors) and potential dietary and non-dietary exposures (*i.e.,* high end estimates of both dietary and non-dietary exposures). The Agency retained a 3X for the LOAEL to NOAEL safety factor when the reproduction study was used. In addition, the Agency retained a 10X for the lack of studies including a developmental neurotoxicity (DNT) study. The assessment includes evaluations of risks for various subgroups, including those comprised of infants and children. The Agency's complete risk assessment is found in the propiconazole reregistration docket at *http://www.regulations.gov,* Docket ID Number EPA–HQ–OPP–2005–0497.

The Agency's latest updated aggregate risk assessment for the triazole-containing metabolites was finalized on November 15, 2016 and includes the new uses in this rule. It is titled, ''Common Triazole Metabolites: Updated Aggregate Human Health Risk Assessment to Address the New Section 3 Registrations for Use of Difenoconazole on Rice and Cotton.'' Aggregate risk estimates associated with 1,2,4-triazole (T) and the conjugated triazole metabolites (*i.e.,* combined residues of triazolylalanine (TA) and triazolylacetic acid (TAA)), are below the Agency's level of concern. There are no human health risk issues for these metabolites that would preclude the new uses of difenoconazole. The assessment may be found at *http://www.regulations.gov* in document in docket ID number EPA–HQ–OPP–2016–0254.

D. Safety Factor for Infants and Children

1. *In general.* Section 408(b)(2)(C) of FFDCA provides that EPA shall apply an additional tenfold (10X) margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the database on toxicity and exposure unless EPA determines based on reliable data that a different margin of safety will be safe for infants and children. This additional margin of safety is commonly referred to as the FQPA Safety Factor (SF). In applying this provision, EPA either retains the default value of 10X, or uses a different additional safety factor when reliable data available to EPA support the choice of a different factor.

2. *Prenatal and postnatal sensitivity.* The prenatal and postnatal toxicology database for difenoconazole includes rat and rabbit prenatal developmental toxicity studies and a 2-generation reproduction toxicity study in rats. The available Agency guideline studies indicated no increased qualitative or quantitative susceptibility of rats to *in utero* and/or postnatal exposure to difenoconazole. In the prenatal developmental toxicity studies in rats and rabbits and the 2-generation reproduction study in rats, toxicity to the fetuses/offspring, when observed, occurred at equivalent or higher doses than in the maternal/parental animals. In a rat developmental toxicity study developmental effects were observed at doses higher than those which caused maternal toxicity. In the rabbit study, developmental effects (increases in post-implantation loss and resorptions and decreases in fetal body weight) were also seen at maternally toxic doses (decreased body weight gain and food consumption). Since the developmental effects are more severe than the maternal effects, qualitative susceptibility is indicated in the rabbit developmental study; however, the selected POD is protective of this effect. In the 2-generation reproduction study

in rats, toxicity to the fetuses/offspring, when observed, occurred at equivalent or higher doses than in the maternal/parental animals.

3. *Conclusion.* EPA has determined that reliable data show the safety of infants and children would be adequately protected if the FQPA SF were reduced to 1X. That decision is based on the following findings:

i. The toxicity database for difenoconazole is complete.

ii. There are no clear signs of neurotoxicity following acute, subchronic or chronic dosing in multiple species in the difenoconazole database. The effects observed in acute and subchronic neurotoxicity studies are transient and showed in one sex (males as reduced fore-limb grip strength with no histologic findings), and the selected endpoints of toxicity for risk assessment are protective of any potential neurotoxicity. Based on the toxicity profile, and lack of concern for neurotoxicity, there is no need for a developmental neurotoxicity study or additional uncertainty factors (UFs) to account for neurotoxicity.

iii. There is no evidence that difenoconazole results in increased susceptibility in *in utero* rats or rabbits in the prenatal developmental studies or in young rats in the 2-generation reproduction study. The qualitative susceptibility seen in the rabbit developmental study is adequately protected by the selected POD.

iv. There are no residual uncertainties identified in the exposure databases. The dietary risk assessment utilized tolerance-level residues and 100 PCT for the acute assessment; the chronic assessment was refined by using USDA PDP monitoring data, average field-trial residues for some commodities, tolerance-level residues for remaining commodities, and average PCT for some commodities. These assumptions will not underestimate dietary exposure to difenoconazole. EPA made conservative (protective) assumptions in the ground and surface water modeling used to assess exposure to difenoconazole in drinking water. EPA used similarly conservative assumptions to assess postapplication exposure of children. These assessments will not underestimate the exposure and risks posed by difenoconazole.

E. Aggregate Risks and Determination of Safety

EPA determines whether acute and chronic dietary pesticide exposures are safe by comparing aggregate exposure estimates to the acute PAD (aPAD) and chronic PAD (cPAD). For linear cancer risks, EPA calculates the lifetime probability of acquiring cancer given the estimated aggregate exposure. Short-, intermediate-, and chronic-term risks are evaluated by comparing the estimated aggregate food, water, and residential exposure to the appropriate PODs to ensure that an adequate MOE exists.

1. *Acute risk.* Using the exposure assumptions discussed in this unit for acute exposure, the acute dietary exposure from food and water to difenoconazole will occupy 53% of the aPAD for all infants less than 1 year old, the population group receiving the greatest exposure.

2. *Chronic risk.* Using the exposure assumptions described in this unit for chronic exposure, EPA has concluded that chronic exposure to difenoconazole from food and water will utilize 50% of the cPAD for all infants less than 1 year old the population group receiving the greatest exposure. Based on the explanation in Unit III.C.3., regarding residential use patterns, chronic residential exposure to residues of difenoconazole is not expected.

3. *Short-term risk.* Short-term aggregate exposure takes into account short-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level). Difenoconazole is currently registered for uses that could result in short-term residential exposure, and the Agency has determined that it is appropriate to aggregate chronic exposure through food and water with short-term residential exposures to difenoconazole.

Using the exposure assumptions described in this unit for short-term exposures, EPA has concluded the combined short-term food, water, and residential exposures result in aggregate MOEs of 250 for children and 180 for adults. Because EPA's level of concern for difenoconazole is a MOE of 100 or below, these MOEs are not of concern.

4. *Intermediate-term risk.* Intermediate-term aggregate exposure takes into account intermediate-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level). An intermediate-term adverse effect was identified; however, difenoconazole is not registered for any use patterns that would result in intermediate-term residential exposure. Intermediate-term risk is assessed based on intermediate-term residential exposure plus chronic dietary exposure. Because there is no intermediate-term residential exposure and chronic dietary exposure has already been assessed under the appropriately protective cPAD (which is at least as protective as the POD used to assess intermediate-term risk), no further assessment of intermediate-term risk is necessary, and EPA relies on the chronic dietary risk assessment for evaluating intermediate-term risk for difenoconazole.

5. *Aggregate cancer risk for U.S. population.* Based on the data summarized in Unit III.A., the chronic dietary risk assessment is protective of any potential cancer effects. Based on the results of that assessment, EPA concludes that difenoconazole is not expected to pose a cancer risk to humans.

6. *Determination of safety.* Based on these risk assessments, EPA concludes that there is a reasonable certainty that no harm will result to the general population, or to infants and children from aggregate exposure to difenoconazole residues.

IV. Other Considerations

A. Analytical Enforcement Methodology

Adequate enforcement methodology (gas chromatography with nitrogen phosphorus detection (GC/NPD) method AG–575B) is available for the determination of residues of difenoconazole in or on plant commodities. Liquid chromatography with tandem mass spectrometry (LC/MS/MS) method REM 147.07b is available for the determination of residues of difenoconazole and CGA–205375 in livestock commodities. Adequate confirmatory methods are also available.

The method may be requested from: Chief, Analytical Chemistry Branch, Environmental Science Center, 701 Mapes Rd., Ft. Meade, MD 20755–5350; telephone number: (410) 305–2905; email address: *residuemethods@epa.gov.*

B. International Residue Limits

In making its tolerance decisions, EPA seeks to harmonize U.S. tolerances with international standards whenever possible, consistent with U.S. food safety standards and agricultural practices. EPA considers the international maximum residue limits (MRLs) established by the Codex Alimentarius Commission (Codex), as required by FFDCA section 408(b)(4). The Codex Alimentarius is a joint United Nations Food and Agriculture Organization/World Health Organization food standards program, and it is recognized as an international food safety standards-setting organization in trade agreements to which the United States is a party. EPA may establish a tolerance that is different from a Codex MRL; however,

FFDCA section 408(b)(4) requires that EPA explain the reasons for departing from the Codex level.

The Codex has not established a MRL for difenoconazole in or on cottonseed subgroup 20C; cotton gin byproducts; rice, grain; and rice, wild, grain.

V. Conclusion

Therefore, tolerances are established for residues of difenoconazole, 1-[2-[2-chloro-4-(4-chlorophenoxy)phenyl]-4-methyl-1,3-dioxolan-2-ylmethyl]-1H–1,2,4-triazole, in or on cottonseed subgroup 20C at 0.40 ppm; rice, grain at 7.0 ppm; and rice, wild, grain at 7.0 ppm. Additionally, this regulation amends the current tolerance for cotton, gin byproducts from 0.05 ppm to 15 ppm. Finally, EPA is removing the established tolerance for residues of difenoconazole in or on cotton, undelinted seed at 0.05 ppm because residues on cotton, undelinted seed are covered by the new tolerance for cottonseed subgroup 20C.

VI. Statutory and Executive Order Reviews

This action establishes tolerances under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 1, 2017.

Michael L. Goodis,

Director, Registration Division, Office of Pesticide Programs.

■ Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.475:

■ i. Remove the entry ''Cotton, undelinted seed'';

■ ii. Revise the entry for ''Cotton, gin byproducts''; and

■ iii. Add alphabetically the entries ''Cottonseed subgroup 20C'', ''Rice, grain'', and ''Rice, wild, grain'' to the table in paragraph (a)(1) to read as follows:

§ 180.475 Difenoconazole; tolerances for residues.

(a) * * * (1) * * *

Commodity	Parts per million
* * * * *	
Cotton, gin byproducts	15
Cottonseed subgroup 20C ...	0.40
* * * * *	
Rice, grain	7.0
Rice, wild, grain	7.0
* * * * *	

* * * * *

[FR Doc. 2017–14105 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

46 CFR Chapter I

[Docket No. USCG–2016–0669]

Marine Safety Manual, Volume III, Parts B and C, Change–2

AGENCY: Coast Guard, DHS.

ACTION: Availability of updated Marine Safety Manual.

SUMMARY: The Coast Guard announces the availability of Change–2 to the Marine Safety Manual (MSM), Volume III, Marine Industry Personnel, and the corresponding Commandant Change Notice that highlights the changes made to that manual. MSM Volume III provides information and interpretations on international conventions and U.S. statutory and regulatory issues relating to marine industry personnel. This Commandant Change Notice discusses the substantive changes to Parts B and C of MSM Volume III. All changes are underlined in the final version and each changed page is annotated with CH–2 in the footer. The date of each change since

1999 is shown in parentheses at the end of the subsection/paragraph titles within the text of each Part as well as at the end of each NOTE. Part A will be reviewed and revised as part of a separate initiative.

DATES: Unless specifically stated otherwise, Change–2 to Marine Safety Manual, Volume III, Marine Industry Personnel, COMDTINST M16000.8B is in effect as of July 14, 2017.

ADDRESSES: To view the documents mentioned in this document, go to the Federal eRulemaking Portal at *http://www.regulations.gov* and use ''USCG–2016–0669'' as your search term.

FOR FURTHER INFORMATION CONTACT: For information about this document call or email Lieutenant Commander Corydon Heard, U.S. Coast Guard; telephone 409–978–2704, email *Corydon.F.Heard@uscg.mil.*

SUPPLEMENTARY INFORMATION: If you discover a discrepancy between the manning or endorsements specified by the Certificate of Inspection/Safe Manning Documentation (COI/SMD) and the provisions of the MSM, Volume III, bring it to the attention of the OCMI with a view toward aligning with the revised MSM III. Documents discussed in this document should be available in the online docket within three business days of this publication. There will be no hardcopy distribution of this change. This change has been incorporated into the electronic copy of the manual available on the INTERNET at *http://www.dcms.uscg.mil/Our-Organization/Assistant-Commandant-for-C4IT-CG-6-/The-Office-of-Information-Management-CG-61/aboutCGDS/cim/smdpage2823/4/.*

Background and Purpose

Volume III of the Marine Safety Manual (MSM) provides information and interpretations on international conventions and U.S. statutes and regulations relating to marine industry personnel. The last updates to Volume III of the MSM were released on July 30, 2014 (79 FR 45451, Aug. 5, 2014). The Coast Guard published a notice in the **Federal Register** announcing the availability of a draft Change–2 and requested public comments (See 81 FR 46042). This document announces updates portions of Part B and C.

Specifically, substantive changes include: (1) Updated guidance to align with the Howard Coble Coast Guard and Maritime Transportation Act of 2014; (2) manning scales for towing vessels certificated under Subchapter M from recently published Inspection of Towing Vessels final rule (81 FR 40003, June 20, 2016); and (3) various policy updates impacting vessel manning. Further, all manning scales throughout Part B Chapters 2, 4, 6 and 7 are presented in a new standard format. Additionally, a Suggested Safe Manning Proposal Template, Coast Guard Work Instruction, Master's Field Guide, and Verification Check-sheet have been added to the Annex. These are intended to aid Coast Guard personnel as well as owners/operators, masters and persons in charge of U.S. vessels, respectively.

We received 10 public comment responses to the July 15, 2016 **Federal Register** document. These comment responses contained a total of approximately 31 specific recommendations, suggestions and other comments. We have created a change matrix that provides a summary of each comment and the corresponding Coast Guard response, as well as Coast Guard changes. A copy of this change matrix is available for viewing in the public docket for this notice. For more detailed information, please consult the actual public comment letters in the docket. You may access the docket going to *http://www.regulations.gov,* using ''USCG–2016–0669'' as your search term, and following the instructions in the **ADDRESSES** section above.

Some commenters included a DOT mailing address in their comments. The Coast Guard no longer receives mail at the DOT Docket Management Facility. Each Coast Guard notice soliciting public comment includes instructions on how to comment on the online docket at *www.regulations.gov,* and what to do if commenters are unable to submit comments online.

The basic ideas and principles encompassed in the initial and supplemental drafts remain. Some commenters proposed revisions to the MSM or requested additional clarification. In response to these comments, the Coast Guard has made some additional revisions. The Coast Guard notes, however, that the MSM (and any revisions made to the MSM) reflect current law and regulation and are intended to provide guidance and information to marine industry personnel. For an in-depth discussion of the individual comments submitted, please visit the docket for this notice to view submitted comments and the change matrix.

It should be noted that Change–2 is not intended to preempt or take the place of separate policy initiatives regarding specific decisions on appeal or future regulations. Future changes to the MSM may be released if the Coast Guard promulgates new regulations or issues appeal decisions, which may affect the guidance and information contained within the MSM.

This document is issued under authority of 5 U.S.C. 552(a).

Dated: July 5, 2017.

Paul F. Thomas,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Prevention Policy.

[FR Doc. 2017–14738 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 36

[CC Docket 80–286; FCC 17–55]

Jurisdictional Separations and Referral to the Federal-State Joint Board; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: The Federal Communications Commission (FCC) is correcting a final rule that appeared in the **Federal Register** on June 2, 2017. The document extended the existing freeze of jurisdictional separations rules.

DATES: Effective July 14, 2017.

FOR FURTHER INFORMATION CONTACT: Rhonda Lien, Pricing Policy Division, Wireline Competition Bureau, at (202) 418–1540 or at *Rhonda.Lien@fcc.gov.*

SUPPLEMENTARY INFORMATION: In FR Doc. 2017–11418 appearing on page 25538 in the **Federal Register** of Friday, June 2, 2017, the following corrections are made:

§§ 36.3, 36.123, 36.124, 36.125, 36.126, 36.141, 36.142, 36.152, 36.154, 36.155, 36.156, 36.157, 36.191, 36.212, 36.214, 36.372, 36.374, 36.375, 36.377, 36.378, 36.379, 36.380, 36.381, and 36.382 [Corrected]

On page 25538, in the third column, in part 36, in amendment 2, the instruction ''In 47 CFR part 36, remove the date ''June 30, 2017'' and add, in its place, the date ''December 30, 2018'' in the following places:'' is corrected to read as ''In 47 CFR part 36, remove the date ''June 30, 2017'' and add, in its place, the date ''December 31, 2018'' in the following places:''

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2017–14794 Filed 7–13–17; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 150413357–5999–02]

RIN 0648–XF501

Atlantic Highly Migratory Species; Commercial Aggregated Large Coastal Shark and Hammerhead Shark Management Group Retention Limit Adjustment

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; inseason retention limit adjustment.

SUMMARY: NMFS is adjusting the commercial aggregated large coastal shark (LCS) and hammerhead shark management group retention limit for directed shark limited access permit holders in the Atlantic region from 3 LCS other than sandbar sharks per vessel per trip to 36 LCS other than sandbar sharks per vessel per trip. This action is based on consideration of the regulatory determination criteria regarding inseason adjustments. The retention limit will remain at 36 LCS other than sandbar sharks per vessel per trip in the Atlantic region through the rest of the 2017 fishing season or until NMFS announces via a document in the **Federal Register** another adjustment to the retention limit or a fishery closure. This retention limit adjustment affects anyone with a directed shark limited access permit fishing for LCS in the Atlantic region.

DATES: This retention limit adjustment is effective on July 16, 2017 through December 31, 2017, or until NMFS announces via a document in the **Federal Register** another adjustment to the retention limit or a fishery closure, if warranted.

FOR FURTHER INFORMATION CONTACT: Lauren Latchford, Guý DuBeck, or Karyl Brewster-Geisz 301–427–8503; fax 301–713–1917.

SUPPLEMENTARY INFORMATION: Atlantic shark fisheries are managed under the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP), its amendments, and implementing regulations (50 CFR part 635) issued under authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

Atlantic shark fisheries have separate regional (Gulf of Mexico and Atlantic) quotas for all management groups except for the shark research fishery for LCS and sandbar sharks, blue shark, porbeagle shark, and pelagic shark (other than porbeagle or blue sharks) management groups. The boundary between the Gulf of Mexico region and the Atlantic region is defined at § 635.27(b)(1) as a line beginning on the East Coast of Florida at the mainland at 25°20.4′ N. lat, proceeding due east. Any water and land to the north and east of that boundary is considered, for the purposes of quota monitoring and setting of quotas, to be within the Atlantic region. This inseason action only affects the aggregated LCS and hammerhead shark management groups in the Atlantic region.

Under § 635.24(a)(8), NMFS may adjust the commercial retention limits in the shark fisheries during the fishing season. Before making any adjustment, NMFS must consider specified regulatory criteria and other relevant factors (see § 635.24(a)(8)(i) through (vi)). After considering these criteria as discussed below, NMFS has concluded that increasing the retention limit of the Atlantic aggregated LCS and hammerhead management groups for directed shark limited access permit holders will allow use of available aggregated LCS and hammerhead shark management group quotas and will provide fishermen throughout the Atlantic region equitable fishing opportunities for the rest of the year. Therefore, NMFS is increasing the commercial Atlantic aggregated LCS and hammerhead shark retention limit in the Atlantic region from 3 to 36 LCS other than sandbar shark per vessel per trip. Based on public comments NMFS received during the rulemaking for the 2017 Atlantic Shark Commercial Fishing Season Rule (81 FR 84491; November 23, 2016), constituents preferred the historical retention limit of 36 LCS other than sandbars sharks per vessel per trip to the default retention limit of 45 LCS other than sandbars sharks per vessel per trip, because they believed it would ensure the quota lasted longer and the fishing season could stay open later in the year.

NMFS considered the inseason retention limit adjustment criteria listed at § 635.24(a)(8)(i) through (vi), which includes (broken down by bullet points):

- The amount of remaining shark quota in the relevant area, region, or sub-region, to date, based on dealer reports.

Based on dealer reports through June 16, 2017, 52.6 metric tons (mt) dressed weight (dw) (116,048 pounds (lb) dw), or 31 percent, of the 168.9 mt dw shark quota for aggregated LCS and 4.9 mt dw (10,836 lb dw), or 18 percent, of the 27.1 mt dw shark quota for the hammerhead management groups have been harvested in the Atlantic region. This means that approximately 69 percent of the aggregated LCS quota remains available and approximately 82 percent of the hammerhead shark quota remains available. NMFS took action previously this year to reduce retention rates, after considering the need for all regions to have an equitable opportunity to utilize the quota. Given the geographic distribution of the sharks at this time of year (*i.e.,* they are heading north before moving south again later in the year), the retention limit needs to be adjusted upwards to ensure that fishermen in the Atlantic region have an opportunity to fully utilize the quotas in the region throughout the remainder of the year.

- The catch rates of the relevant shark species/complexes in the region or sub-region, to date, based on dealer reports.

Based on the current commercial retention limit and average catch rate of landings data from dealer reports, the amount of aggregated LCS and hammerhead sharks harvested in the Atlantic region on a daily basis is low. Using current catch rates, projections indicate that landings would not reach 80 percent of the quota before the end of the 2017 fishing season (December 31, 2017). In other words, this daily average catch rate means that aggregated LCS and hammerhead sharks are being harvested too slowly to promote fishing opportunities and ensure full utilization of the quota in the Atlantic region.

- Estimated date of fishery closure based on when the landings are projected to reach 80 percent of the quota given the realized catch rates.

Once the landings reach 80 percent of either the aggregated LCS or hammerhead shark quotas, NMFS would, as required by the regulations, close the aggregated LCS and hammerhead shark management groups since they are ''linked quotas.'' Current catch rates would likely result in the fisheries remaining open for the remainder of the year, but with the quotas being underutilized in the Atlantic region. The higher retention limit should help make it possible to more fully utilize the quota in the Atlantic region.

- Effects of the adjustment on accomplishing the objectives of the 2006 Consolidated HMS FMP and its amendments.

Increasing the retention limit on the aggregated LCS and hammerhead management group in the Atlantic region from 3 to 36 LCS other than sandbar sharks per vessel per trip would

allow for fishing opportunities later in the year, consistent with the FMP's objective to ensure equitable fishing opportunities throughout the fishing season. The higher retention limit is also consistent with the FMP's objective to limit bycatch and discards of sharks, because fishermen will be able to retain sharks that currently must be disposed of as bycatch or discards under the current retention limit of 3 LCS other than sandbar sharks per vessel per trip.

- Variations in seasonal distribution, abundance, or migratory patterns of the relevant shark species based on scientific and fishery-based knowledge.

The directed shark fisheries in the Atlantic region exhibit a mixed species composition, with a high abundance of aggregated LCS caught in conjunction with hammerhead sharks. Migratory patterns of many LCS in the Atlantic region indicate the sharks move farther north in the summer and then return south in the fall. Increasing the retention limit in the Atlantic region at this time provides for fishing opportunities by fishermen farther north as the sharks are likely going to be in the northern areas of the region for only a short period of time before migrating south again. As a result, by increasing the harvest and landings on a per-trip basis, fishermen throughout the region will likely experience equitable fishing opportunities.

- Effects of catch rates in one part of a region or sub-region precluding vessels in another part of that region or sub-region from having a reasonable opportunity to harvest a portion of the relevant quota.

NMFS has previously provided notice to the regulated community (81 FR 84491; November 23, 2016, and 82 FR 17765; April 13, 2017) that a goal of this year's fishery is to ensure fishing opportunities throughout the fishing season and fishing region. While dealer reports indicate that, under current catch rates, the aggregated LCS and hammerhead shark management groups in the Atlantic region would remain open for the remainder of the year, the catch rates also indicate that the quotas would likely not be fully harvested under the current retention limit. If the harvest of these species is increased through an increased retention limit, NMFS estimates that the fishery would still remain open for the remainder of the year and fishermen throughout the Atlantic region would have a reasonable opportunity to harvest a portion of the quota.

On November 23, 2016 (81 FR 84491), NMFS announced in a final rule that the aggregated LCS and hammerhead shark fisheries management groups for the Atlantic region would open on January 1 with a quota of 168.9 mt dw (372,552 lb dw) and 27.1 mt dw (59,736 lb dw), respectively. We had published a proposed rule on August 29, 2016 (81 FR 59167) and accepted public comment. In the final rule, NMFS also announced that if it appeared that the quota is being harvested too quickly, thus precluding fishing opportunities throughout the entire region (*e.g.,* if approximately 20 percent of the quota is caught at the beginning of the year), NMFS would consider reducing the commercial retention limit to 3 or fewer LCS other than sandbar sharks and then later consider increasing the retention limit, perhaps to 36 LCS other than sandbar sharks per vessel per trip around July 15, 2017, consistent with the applicable regulatory requirements. In April 2017, dealer reports indicated that landings had exceeded 20 percent of the quota, and NMFS therefore reduced the commercial Atlantic aggregated LCS and hammerhead shark retention limit from 25 to 3 LCS other than sandbar sharks per vessel per trip on April 6, 2017 (82 FR 17765; April 13, 2017) after considering the inseason retention limit adjustment criteria listed in § 635.24(a)(8). Based on dealer reports through June 16, 2017, approximately 69 percent and 82 percent of the aggregated LCS and hammerhead shark quotas remain, respectively. At this point in the season, fishermen in the Atlantic region may not have an opportunity to fully utilize the quotas in the region for the remainder of the year if the retention limits are not increased, and available quota will be underutilized.

Accordingly, as of July 16, 2017, NMFS is increasing the retention limit for the commercial aggregated LCS and hammerhead shark management groups in the Atlantic region for directed shark limited access permit holders from 3 LCS other than sandbar sharks per vessel per trip to 36 LCS other than sandbar sharks per vessel per trip. This retention limit adjustment does not apply to directed shark limited access permit holders if the vessel is properly permitted to operate as a charter vessel or headboat for HMS and is engaged in a for-hire trip, in which case the recreational retention limits for sharks and ''no sale'' provisions apply (§ 635.22(a) and (c)); or if the vessel possesses a valid shark research permit under § 635.32 and a NMFS-approved observer is onboard, in which case the restrictions noted on the shark research permit apply.

All other retention limits and shark fisheries in the Atlantic region remain unchanged. This retention limit will remain at 36 LCS other than sandbar sharks per vessel per trip for the rest of the 2017 fishing season, or until NMFS announces via a document in the **Federal Register** another adjustment to the retention limit or a fishery closure, if warranted.

Classification

The Assistant Administrator for NMFS (AA) finds that it is impracticable and contrary to the public interest to provide prior notice of, and an opportunity for public comment on, this action for the following reasons:

Prior notice is impracticable because the regulatory criteria for inseason retention limit adjustments are intended to allow the agency to respond quickly to existing management considerations, including remaining available shark quotas, estimated dates for the fishery closures, the regional variations in the shark fisheries, and equitable fishing opportunities. Additionally, regulations implementing Amendment 6 of the 2006 Atlantic Consolidated HMS FMP (80 FR 50074, August 18, 2015) intended that the LCS retention limit could be adjusted quickly throughout the fishing season to provide management flexibility for the shark fisheries and provide equitable fishing opportunities to fishermen throughout a region. Based on available shark quotas and informed by shark landings in previous seasons, responsive adjustment to the LCS commercial retention limit from the incidental level is warranted as quickly as possible to allow fishermen to take advantage of available quotas while sharks are present in their region. For such adjustment to be practicable, it must occur in a timeframe that allows fishermen to take advantage of it.

Adjustment of the LCS fisheries retention limit in the Atlantic region will begin on July 16, 2017. Prior notice would result in delays in increasing the retention limit and would adversely affect those shark fishermen that would otherwise have an opportunity to harvest more than the current retention limit of 3 LCS other than sandbar sharks per vessel per trip and could result in low catch rates and underutilized quotas. Analysis of available data shows that adjustment of the LCS commercial retention limit upward to 36 would result in minimal risks of exceeding the aggregated LCS and hammerhead shark quotas in the Atlantic region based on our consideration of previous years' data, in which the fisheries have opened in July. With quota available and with no measurable impacts to the stocks expected, it would be contrary to the public interest to require vessels to wait to harvest the sharks otherwise

allowable through this action. Therefore, the AA finds good cause under 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment. Adjustment of the LCS commercial retention limit in the Atlantic region is effective July 16, 2017, to minimize any unnecessary disruption in fishing patterns, to allow the impacted fishermen to benefit from the adjustment, and to not preclude fishing opportunities by fishermen farther north as the sharks are likely going to be in the northern areas of the region for only a short period of time before migrating south again. Foregoing opportunities to harvest the respective quotas could have negative social and economic impacts for U.S. fishermen that depend upon catching the available quotas. Therefore, the AA finds there is also good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness.

This action is being taken under § 635.24(a)(2) and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 10, 2017.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–14778 Filed 7–11–17; 11:15 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 82, No. 134
Friday, July 14, 2017

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF STATE

2 CFR Chapter VI

22 CFR Chapter I

28 CFR Chapter XI

48 CFR Chapter 6

[Public Notice: 10057]

Reducing Regulation and Public Burden, and Controlling Cost

AGENCY: Department of State.

ACTION: Request for comments.

SUMMARY: As part of its implementation of Executive Order 13771, ''Reducing Regulation and Controlling Regulatory Costs,'' issued by the President on January 30, 2017, the Department of State (the Department) is seeking comments and information from interested parties to assist the Department in identifying existing regulations, paperwork requirements and other regulatory obligations that can be modified or repealed, consistent with law, to achieve meaningful burden reduction while continuing to achieve the Department's statutory obligations.

DATES: Written comments and related material must be received on or before August 14, 2017.

ADDRESSES: You may submit comments by any of the following methods:

- *Internet:* At *www.regulations.gov,* search for this notice by searching for Docket No. DOS–2017–0030.
- *By email:* Submit comments to: *RegsReform@state.gov.*

FOR FURTHER INFORMATION CONTACT: Alice Kottmyer, Attorney-Adviser, 202–647–2318, *RegsReform@state.gov.*

SUPPLEMENTARY INFORMATION: On February 24, 2017, the President issued Executive Order 13777, Enforcing the Regulatory Reform Agenda. That Executive Order directs agencies to take specific steps to identify and alleviate unnecessary regulatory burdens placed on the American people. We are seeking comments on Department regulations, guidance documents, and collections of information that you believe should be removed or modified to alleviate unnecessary burdens. The Department is also requesting economic data to support any proposed changes.

The Regulatory Reform Task Force

Executive Order 13777 directs agencies to designate a Regulatory Reform Officer (RRO) and to establish a Regulatory Reform Task Force (RRTF). The Deputy Secretary of State is the RRO. Other RRTF members include senior officials in the Department's primary regulatory bureaus (Bureaus of Consular Affairs, Educational and Cultural Affairs, Political-Military Affairs, and Administration), as well as other Department officials with expertise in legal requirements, planning and budget.

One of the duties of the RRTF is to evaluate existing regulations and make recommendations to the Secretary regarding their repeal, replacement, or modification. Executive Order 13777 further directs that the RRTF attempt to identify regulations that:

- Eliminate jobs, or inhibit job creation;
- Are outdated, unnecessary, or ineffective;
- Impose costs that exceed benefits;
- Create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;
- Are inconsistent with the requirements of section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note), or the guidance issued pursuant to that provision, in particular those regulations that rely in whole or in part on data, information, or methods that are not publicly available or that are insufficiently transparent to meet the standard of reproducibility; or
- Derive from or implement Executive Orders or other Presidential directives that have been subsequently rescinded or substantially modified.

Section 3(e) of the Executive Order calls on the RRTF to ''seek input and other assistance, as permitted by law, from entities significantly affected by Federal regulations, including State, local, and tribal governments, small businesses, consumers, nongovernmental organizations, and trade associations'' on regulations that meet some or all of the criteria above.

The Executive Orders are at the following sites:

- Executive Order 13771 is located at: *http://bit.ly/2kx0TlY*
- Executive Order 13777 is located at: *http://bit.ly/2lTZPIQ*

Department Regulations

Existing Department of State regulations can be found in the Code of Federal Regulations (CFR) in two places:

- 22 CFR Chapter I (parts 1 through 199), which contains rules governing Department operations); and
- 48 CFR Chapter 6 (part 600), which contains the Department's Acquisition Rules.

You may view the most up-to-date versions of these regulations in the electronic CFR, located at *www.ecfr.gov.*

Department Guidance

Department guidance that relates to the missions of the rulemaking bureaus (identified above) can be found in a number of locations on the *state.gov* public Web site. The Department is interested in comments regarding any of the guidance located on its public site. For your convenience, the following sites cover specific missions:

- For Consular Affairs, including passports and visas, please visit *https://travel.state.gov*
- For Educational and Cultural Affairs, including the Exchange Visitor Program, please visit *https://exchanges.state.gov/*
- For Defense Trade issues, please visit: *https://www.pmddtc.state.gov/*

You are invited to provide comment on any guidance published by the Department that you feel should be considered for modification or elimination, in accordance with E.O. 13777.

Department's Unified Agenda Submission

The Department's most current submission to the Unified Agenda of Regulatory and Deregulatory Actions is located at *https://www.reginfo.gov/public/do/eAgendaMain.* Select ''Department of State'' from the dropdown menu. The Agenda consists of regulatory and de-regulatory actions either in progress or contemplated by the Department. The rules are identified by Regulatory Information Numbers (RINs), which for the Department all begin with ''1400-''. When commenting

on a rule in the Agenda, please identify it by its RIN.

Approved Collections of Information

You can find the Department's approved collections of information at *https://www.reginfo.gov/public/do/PRAMain.* Please choose ''Current Inventory'' and pick ''Department of State'' from the dropdown menu. All approved collections of information have a Control Number issued by the Office of Management and Budget (OMB). Department Control Numbers all begin with ''1405-''. When commenting on an information collection, please identify it by the OMB Control Number.

Public Comments

Please make your comments as specific as possible, and include any supporting data or other information, such as cost information, that you may have. Please note that all comments are publically available, so do not include any information in your comments that you would not want released to the public. We accept anonymous comments. The Department will not edit your comments to remove personal information; however, in our discretion, we might not post on *regulations.gov* any comments that contain personal information. If your submission cannot be made using *www.regulations.gov,* please submit using the following email address *RegsReform@state.gov* or contact Alice Kottmyer, Attorney-Adviser, 202–647–2318 for alternate instructions.

Although the Department will not respond to individual comments, we value your comments and will give careful consideration to them.

Janet Freer,

Director, Office of Directives Management, Department of State.

[FR Doc. 2017–14620 Filed 7–13–17; 8:45 am]

BILLING CODE 4710–24–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0504; Directorate Identifier 2017–NE–12–AD]

RIN 2120–AA64

Airworthiness Directives; GEVEN S.p.A., Seat Assemblies, Type D1–02 and D1–03

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain Geven S.p.A., Type D1–02 and D1–03 seat assemblies. This proposed AD was prompted by a report that seat belt attachment bolts were found detached or partially detached from the seat. This proposed AD would require inspection, torque verification, and modification of certain model seats. We are proposing this AD to correct the unsafe condition on these products.

DATES: We must receive comments on this NPRM by August 28, 2017.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* 202–493–2251.

For service information identified in this NPRM, contact Geven Technical Assistance Department, Via Boscofangone, Zona Industriale Nola-Marigliano, 80035 Nola (NA), Italy; phone: +39 081 31 21 396; fax: +39 081 31 21 321; email: *Technical.assistance@geven.com.* You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0504; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Neil Doh, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7757; fax: 781–238–7199; email: *neil.doh@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2017–0504; Directorate Identifier 2017–NE–12–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD 2014–0187, dated August 20, 2014 (referred to hereinafter as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> An operator reported that seat belt attachment bolts were found detached or partially detached from the seat. A further check on several aeroplanes revealed that on a large number of seats of the same model, the seat belt attachment bolts were not properly torqued and secured as defined. This condition, if not detected and corrected, could lead to failure of the seats to perform their intended function, possibly resulting in injury to occupants in case of an emergency landing. To address this potential unsafe condition, Geven published SB No. D103–25–004 to provide inspection instructions to verify if the seat belt attachment bolts are properly torqued and secured, and correction of any deficiencies. In addition, for certain D1–03 seats, the SB provides instructions to modify the seat belt attachment assembly. For the reasons described above, this AD requires a one-time inspection of all safety belt attachment bolts and, depending on findings, accomplishment of the applicable corrective action(s). This AD also requires modification of the seat belt attachment assembly on certain D1–03 seats.

You may obtain further information by examining the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0504.

Related Service Information Under 1 CFR Part 51

Geven S.p.A. has issued Service Bulletin (SB) No. D103–25–004, Revision 4, dated March 15, 2016. The SB describes procedures for inspection, torque verification, and modification of certain model seats known to be installed on ATR 42 and ATR 72 airplanes. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of Italy, and is approved for operation in the United States. Pursuant to our bilateral agreement with the European Community, EASA has notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design. This proposed AD would require inspection, torque verification and modification of certain model seats.

Costs of Compliance

We estimate that this proposed AD affects an unknown number of seat assemblies installed on, but not limited to, 38 ATR 42 and ATR 72 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Seat modification ATR 42	1.5 work-hours × $85 per hour = $127.50	$302	$429.50	$10,737.50
Torque check ATR 42	0.8 work-hours × $85 per hour = $68.00	0	68.00	1,700.00
Seat modification ATR 72	2.3 work-hours × $85 per hour = $195.50	368	563.50	7,325.50
Seat remove and replace ATR 72	1.2 work-hours × $85 per hour = $102.00	0	102.00	1,326.00

According to the manufacturer, some of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

GEVEN S.p.A.: Docket No. FAA–2017–0504; Directorate Identifier 2017–NE–12–AD.

(a) Comments Due Date

We must receive comments by August 28, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all GEVEN S.p.A. (Geven) Type D1–02 and D1–03 (also known as ''Lightweight Classic'' and ''Lightweight Prestige'') seats, with part numbers (P/Ns) and Effectivity Codes listed in Table 1.1.1 of Geven Service Bulletin (SB) No. D103–25–004, Revision 4, dated March 15, 2016.

These appliances are installed on, but not limited to, ATR 42 and ATR 72 airplanes of U.S. registry.

(d) Subject

Joint Aircraft System Component (JASC) 2500 Code, Cabin Equipment/Furnishings.

(e) Reason

This AD was prompted by a report that seat belt attachment bolts were found detached or partially detached from the seat. We are issuing this AD to prevent failure of the seats.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(1) For all Geven Type D1–02 and D1–03 (also known as ''Lightweight Classic'' and ''Lightweight Prestige'') in-arm table, standard, and last row seats, P/N D1–02–( )( )( )–( )( )( ), and P/N D1–03–( )( )( )–( )( )( ), within 6 months after the effective date of this AD, modify the safety belt attachment assemblies on the aisle side spreader, and torque check the safety belt attachment assemblies on the central and fuselage side spreaders to 71 in-lbs (8 nm)

using Geven SB No. D103–25–004, Revision 4, dated March 15, 2016, and

(2) For all Geven Type D1–02 and D1–03 (also known as ''Lightweight Classic'' and ''Lightweight Prestige'') aft facing seats, P/N D1–02–( )( )( )–( )( )( ), and P/N D1–03–( )( )( )–( )( )( ), within 6 months after the effective date of this AD, torque check the seat belt attachment assemblies on the aisle side, central, and fuselage side spreaders to 71 in-lbs using Geven SB No. D103–25–004, Revision 4, dated March 15, 2016, and

(3) Within 6 months after the effective date of this AD, verify that the safety belt attachment is free to rotate. If it is not free to rotate, replace the bushing in accordance with paragraph 3.3.1 of Geven SB No. D103–25–004, Revision 4, dated March 15, 2016, or

(4) Within 6 months after the effective date of this AD, block each affected seat to prevent use of each affected seat until paragraphs (f)(1), (2), and (3) of this AD are accomplished.

(g) Credit for Previous Actions

You may take credit for the inspections, torque verifications, and modifications that are required by paragraphs (f)(1), (2), and (3) of this AD if you performed those actions before the effective date of this AD using Geven SB No. D103–25–004, Revision 4, dated March 15, 2016.

(h) Alternative Methods of Compliance (AMOCs)

The Manager, Boston Aircraft Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

(i) Related Information

(1) For more information about this AD, contact Neil Doh, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7757; fax: 781–238–7199; email: *neil.doh@faa.gov.*

(2) Refer to MCAI EASA AD 2014–0187, dated August 20, 2014, for more information. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating it in Docket No. FAA–2017–0504.

(3) Geven SB No. D103–25–004, Revision 4, dated March 15, 2016 can be obtained from Geven Technical Assistance Department, using the contact information in paragraph (i)(4) of this proposed AD.

(4) For service information identified in this proposed AD, contact Geven Technical Assistance Department, Via Boscofangone, Zona Industriale Nola-Marigliano, 80035 Nola (NA), Italy; phone: +39 081 31 21 396; fax: +39 081 31 21 321; email: *Technical.assistance@geven.com.*

(5) You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on July 6, 2017.

Robert J. Ganley,

Acting Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2017–14546 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–8434; Directorate Identifier 2015–NM–082–AD]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM); reopening of comment period.

SUMMARY: We are revising an earlier proposal for certain Bombardier, Inc., Model DHC–8–401 and –402 airplanes. This action revises the notice of proposed rulemaking (NPRM) by adding certain airplanes to the applicability and adding specified actions. We are proposing this airworthiness directive (AD) to address the unsafe condition on these products. Since these changes increase the scope of the NPRM, we are reopening the comment period to allow the public the chance to comment on these proposed changes.

DATES: The comment period for the NPRM published in the **Federal Register** on January 13, 2016 (81 FR 1586), is reopened.

We must receive comments on this SNPRM by August 28, 2017.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- For service information identified in this proposed AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd.qseries@aero.bombardier.com;* Internet *http://www.bombardier.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–8434; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE–171, FAA, New York Aircraft Certification Office (ACO), 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7318; fax 516–794–5531.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2015–8434; Directorate Identifier 2015–NM–082–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

We issued an NPRM to amend 14 CFR part 39 by adding an AD that would apply to certain Bombardier, Inc. Model DHC–8–401 and –402 airplanes. The

NPRM published in the **Federal Register** on January 13, 2016 (81 FR 1586) (''the NPRM''). The NPRM was prompted by a discovery of cracking on two test spoiler power control units (PCUs) manifolds during testing by the manufacturer. The NPRM proposed to require replacement of affected spoiler PCUs.

Actions Since the NPRM Was Issued

Since we issued the NPRM, we have determined that certain airplanes were inadvertently omitted from the applicability of the NPRM; and additional actions were necessary.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2015–07R2, dated December 14, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain Bombardier, Inc. Model DHC–8–401 and –402 airplanes. The MCAI states:

> During endurance and impulse testing of the spoiler PCU, cracks were discovered on two test spoiler PCU manifolds. Investigation determined that the crack initiation was due to the heat treat process. A cracked spoiler PCU manifold could cause the loss of one of the two hydraulic systems, resulting in the loss of multiple flight controls and landing gear systems. This condition, if not corrected, could adversely affect the continued safe operation and landing of the aeroplane.
>
> This [Canadian] AD mandates the replacement of the affected spoiler PCUs.
>
> Revision 1 of this [Canadian] AD was issued to extend the applicability to include additional aeroplane serial numbers and also modify the Corrective Actions to specifically mandate section 3.B of the [Service Bulletin] SB 84–27–64, Revision A.
>
> Revision 2 of this [Canadian] AD was issued to correct the SB referenced in the Background section. SB 84–27–64, Revision A should have been referenced in lieu of SB 84–27–63, Revision A.

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–8434.

Related Service Information Under 1 CFR Part 51

Bombardier, Inc. has issued Bombardier Service Bulletin 84–27–64, Revision A, dated July 26, 2016. The service information describes procedures for replacement of affected spoiler PCU manifolds.

Parker-Hannifin Corporation has issued Parker Service Bulletin 390700–27–002, Revision 1, dated April 13, 2016. This service bulletin identifies affected spoiler PCUs that need to be returned to Parker Customer Support for rework.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Comments

We gave the public the opportunity to participate in developing this proposed AD. We considered the comment received.

Request To Remove Requirement for Job Set-up and Close-out

Horizon Air requested that paragraph (g) of the proposed AD (in the NPRM) be revised to remove the requirement for job set-up and close-out in the Accomplishment Instructions of Bombardier Service Bulletin 84–27–64, dated July 15, 2014. Horizon Air stated that performing the job set-up and close-out sections specified in Bombardier Service Bulletin 84–27–64, dated July 15, 2014, as a requirement of the AD, restricts an operator's ability to perform other maintenance in conjunction with incorporating Bombardier Service Bulletin 84–27–64, dated July 15, 2014.

We agree that job set-up and close-out may be done using approved procedures other than those provided in the Accomplishment Instructions of Bombardier Service Bulletin 84–27–64, dated July 15, 2014, or Revision A, dated July 26, 2016. Therefore, access and close would not be specifically required by this proposed AD. We have revised paragraph (g) of this proposed AD (in the SNPRM) to require only the actions specified in paragraph 3.B. in the Accomplishment Instructions of Bombardier Service Bulletin 84–27–64, Revision A, dated July 26, 2016. We find that this change adequately addresses the commenter's request.

FAA's Determination and Requirements of This SNPRM

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Certain changes described above expand the scope of the NPRM. As a result, we have determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this SNPRM.

Costs of Compliance

We estimate that this SNPRM affects 82 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Remove and replace affected PCUs	2 work-hours × $85 per hour = $170 per airplane.	$10,000 per airplane	$10,170 per airplane	$833,940

The new requirements of this proposed AD add no additional economic burden.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on

products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska; and

4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

Bombardier, Inc.: Docket No. FAA–2015–8434; Directorate Identifier 2015–NM–082–AD.

(a) Comments Due Date

We must receive comments by August 28, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the following Bombardier, Inc. Model DHC–8–401 and –402 airplanes, certificated in any category, serial numbers (S/Ns) 4001, and 4003 through 4527 inclusive, equipped with spoiler power control unit (PCU) part numbers (P/Ns) 390700–1007 and –1009 and that have any serial number identified in paragraph (c)(1), (c)(2), or (c)(3) of this AD.

(1) S/Ns 0474 through 1321 inclusive;

(2) S/Ns identified in the Parker Service Bulletin 390700–27–002, Revision 1, section 4. Appendix, dated April 13, 2016; and

(3) S/Ns 1394 through 1876 inclusive, without suffix ''A.''

(d) Subject

Air Transport Association (ATA) of America Code 27, Flight Control System.

(e) Reason

This AD was prompted by the discovery of cracking on two test spoiler PCU manifolds during testing by the manufacturer. We are issuing this AD to prevent cracking of the spoiler PCUs that could lead to the loss of multiple flight controls and landing gear systems.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Inspection/Replacement

Within 12,000 flight hours or 72 months after the effective date of this AD, whichever occurs first: Remove and replace the affected spoiler PCUs in accordance with paragraph 3.B. in the Accomplishment Instructions of Bombardier Service Bulletin 84–27–64, Revision A, dated July 26, 2016.

(h) Parts Installation Prohibition

After the actions required by paragraph (g) of this AD have been done, no person may install, on any airplane, a spoiler PCU, part number 390700–1007 and –1009, with:

(1) S/Ns 0474 through 1321 inclusive;

(2) S/Ns identified in the Parker Service Bulletin 390700–27–002, Revision 1, section 4. Appendix, dated April 13, 2016; and

(3) S/Ns 1394 through 1876 inclusive, without suffix ''A.''

(i) Credit for Previous Actions

This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 84–27–64, dated July 15, 2014.

(j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), ANE–170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, New York ACO, ANE–170, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian AD CF–2015–07R2, dated December 14, 2016, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–8434.

(2) For further information about this AD, contact Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE–171, FAA, New York Aircraft Certification Office (ACO), 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7318; fax 516–794–5531; email: *Cesar.Gomez@faa.gov.*

(3) For service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd.qseries@aero.bombardier.com;* Internet *http://www.bombardier.com.* You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on June 29, 2017.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–14591 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0694; Directorate Identifier 2017–NM–007–AD]

RIN 2120–AA64

Airworthiness Directives; Dassault Aviation Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain Dassault Aviation Model FALCON 7X airplanes. This proposed AD was prompted by a report indicating that fuselage panels were manufactured with

defects that could reduce panel fatigue limits. This proposed AD would require a one-time inspection of the affected panels and corrective actions if necessary. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by August 28, 2017.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Dassault Falcon Jet Corporation, Teterboro Airport, P.O. Box 2000, South Hackensack, NJ 07606; telephone 201–440–6700; Internet *http://www.dassaultfalcon.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0694; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1137; fax 425–227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2017–0694; Directorate Identifier 2017–NM–007–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2016–0250, dated December 15, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain Dassault Aviation Model FALCON 7X airplanes. The MCAI states:

> A few pockets of fuselage Section T5 lateral panels were manufactured with defects in certain chemically-milled profiles. The technical investigation concluded that the fatigue limit of the affected panels might be reduced, depending on the defect characteristics.
>
> This condition, if not detected and corrected, could lead to crack propagation, possibly resulting in reduced structural integrity of the fuselage.
>
> To address this potential unsafe condition, DA published Service Bulletin (SB) F7X–042 providing inspection instructions.
>
> For the reasons described above, this [EASA] AD requires a one-time [detailed] inspection of the chemically-milled profiles of the pockets of the Section T5 fuselage lateral panels and, depending on findings, accomplishment of applicable corrective action(s). This [EASA] AD also requires, for some aeroplanes, the installation of a stiffener on the forward pocket.

Applicable corrective actions include repair, if necessary. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0694.

Related Service Information Under 1 CFR Part 51

We reviewed Dassault Service Bulletin 7X–042, Revision 1, dated May 3, 2016. This service information describes the inspection of the chemically milled profiles of the pockets of the Section T5 fuselage lateral panels and the installation of a stiffener on the forward pocket on affected airplanes. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Costs of Compliance

We estimate that this proposed AD affects 4 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Panel inspections	Up to 10 work-hours × $85 per hour = $850.	$0	Up to $850	Up to $3,400.
Stiffener installation (up to 3 airplanes)	2 work-hours × $85 per hour = $170	8,769	$8,939	Up to $26,817.

According to the manufacturer, all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska; and

4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

Dassault Aviation: Docket No. FAA–2017–0694; Directorate Identifier 2017–NM–007–AD.

(a) Comments Due Date

We must receive comments by August 28, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Dassault Aviation Model FALCON 7X airplanes, certificated in any category, serial numbers (S/Ns) 2 through 19 inclusive, except S/Ns 3 and 8.

(d) Subject

Air Transport Association (ATA) of America Code 51, Structure.

(e) Reason

This AD was prompted by a report indicating that a few pockets of fuselage Section T5 lateral panels were manufactured with defects that could reduce the fatigue limit of the affected panels. We are issuing this AD to detect and correct discrepancies of certain fuselage lateral panels, which could lead to crack propagation and possible reduced structural integrity of the fuselage.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Inspection

Within 99 months or 4,100 flight cycles, whichever occurs first, after the effective date of this AD, do a detailed inspection to measure the pocket depth of the Section T5 fuselage lateral panels, in accordance with the Accomplishment Instructions of Dassault Service Bulletin 7X–042, Revision 1, dated May 3, 2016.

(h) Repair

During the inspection required by paragraph (g) of this AD, if any discrepancy is found, as defined in Accomplishment Instructions of Dassault Service Bulletin 7X–042, Revision 1, dated May 3, 2016, before further flight, contact the FAA, the European Aviation Safety Agency (EASA), or Dassault Aviation's EASA Design Organization Approval (DOA) for approved repair instructions, and, within the compliance time specified in those instructions, accomplish the repair accordingly.

(i) Installation

For airplanes having S/Ns 16, 17, and 19: Within 99 months or 4,100 flight cycles, whichever occurs first, after the effective date of this AD, install a stiffener on the forward pocket of Section T5 fuselage lateral panels, in accordance with the Accomplishment Instructions of Dassault Service Bulletin 7X–042, Revision 1, dated May 3, 2016.

(j) Credit for Previous Actions

This paragraph provides credit for actions required by paragraphs (g) and (i) of this AD, if those actions were performed before the effective date of this AD using Dassault Service Bulletin 7X–042, dated January 3, 2011.

(k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Branch, send it to the attention of the person identified in paragraph (l)(2) of this AD. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the EASA; or Dassault Aviation's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(l) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2016–0250, dated December 15, 2016, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0694.

(2) For more information about this AD, contact Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone (425) 227–1137; fax (425) 227–1149.

(3) For service information identified in this AD, contact Dassault Falcon Jet Corporation, Teterboro Airport, P.O. Box 2000, South Hackensack, NJ 07606; telephone 201–440–6700; Internet *http://www.dassaultfalcon.com.* You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on June 29, 2017.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–14592 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0671; Directorate Identifier 2016–SW–072–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2009–25–07 for Airbus Helicopters Model EC120B helicopters. AD 2009–25–07 currently requires amending the rotorcraft flight manual supplement (RFMS) and pre-flight checking the emergency flotation gear before each flight over water. Since we issued AD 2009–25–07, Airbus Helicopters developed a terminating action and identified an additional part-numbered emergency floatation gear part with the unsafe condition. This proposed AD would retain the requirements of AD 2009–25–07, expand the applicability, and add a terminating action for the repetitive inspections. The actions of this proposed AD are intended to correct the unsafe condition on these helicopters.

DATES: We must receive comments on this proposed AD by September 12, 2017.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Docket:* Go to *http://www.regulations.gov*. Follow the online instructions for sending your comments electronically.
- *Fax:* 202–493–2251.
- *Mail:* Send comments to the U.S. Department of Transportation, Docket Operations, M–30, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.
- *Hand Delivery:* Deliver to the ''Mail'' address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0671; or in person at the Docket Operations Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the European Aviation Safety Agency (EASA) AD, the economic evaluation, any comments received and other information. The street address for the Docket Operations Office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

For service information identified in this proposed rule, contact Airbus Helicopters, 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641–0000 or (800) 232–0323; fax (972) 641–3775; or at *http://www.airbushelicopters.com/Web site/technical-expert/*. You may review service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N–321, Fort Worth, TX 76177.

FOR FURTHER INFORMATION CONTACT: George Schwab, Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 10101 Hillwood Pkwy, Fort Worth, TX 76177; telephone (817) 222–5110; email *george.schwab@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time.

We will file in the docket all comments that we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, we will consider all comments we receive on or before the closing date for comments. We will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. We may change this proposal in light of the comments we receive.

Discussion

On November 18, 2009, we issued AD 2009–25–07, Amendment 39–16126 (74 FR 65682, December 11, 2009) for Eurocopter France (now Airbus Helicopters) Model EC120B helicopters with an Emergency Floatation Gear lighting and ancillary control unit (LACU), part number (P/N) 040101AB, installed. AD 2009–25–07 requires amending the Limitations section of the RFMS to prohibit flight over water if the ''float arm'' pushbutton does not remain lit, conducting a pilot check to determine whether the ''float arm'' pushbutton remains lit before any flight over water, and placarding the ''float arm'' pushbutton as inoperative if the functional check is unsuccessful.

AD 2009–25–07 was prompted by AD No. 2008–0177–E, dated September 19, 2008 (AD 2008–0177–E), issued by EASA, which is the Technical Agent for the Member States of the European Union, to correct an unsafe condition for Model EC120B helicopters. EASA advises that operators reported reliability issues with the LACU emergency flotation ''float arm'' latching pushbuttons, used to arm the emergency flotation gear, including failure of the light to illuminate properly. AD 2008–0177–E states the unsafe condition may be due to the bonding of the pushbuttons and requires a repetitive, in-flight functional test of the float arm pushbutton before flight overwater. AD 2008–0177–E further prohibits overwater flight if the pushbutton fails to latch in the depressed position. Those actions are intended to prohibit flight over water if a functional test indicates that the emergency flotation gear cannot be armed, which would preclude deployment of the floats in an emergency water ditching, resulting in subsequent damage to the helicopter and injury to occupants.

Actions Since AD 2009–25–07 Was Issued

Since we issued AD 2009–25–07, EASA has issued AD No. 2016–0180, dated September 13, 2016 (AD 2016–0180), which superseded AD 2008–0177–E. EASA advises that Airbus Helicopters has designed an improved latching pushbutton, which when installed becomes a terminating action for the repetitive functional checks of the float arm pushbuttons. EASA also states that LACU P/N 040101BA is equipped with the same faulty pushbutton and must be included in the applicability.

We have also determined that the ''Emergency Floatation Gear LACU'' as identified in AD 2009–25–07 is more correctly described as an LACU. Therefore we use the term ''LACU'' in this proposed AD.

FAA's Determination

These helicopters have been approved by the aviation authority of France and are approved for operation in the United States. Pursuant to our bilateral agreement with France, EASA, its technical representative, has notified us of the unsafe condition described in its AD. We are proposing this AD because we evaluated all known relevant information and determined that an unsafe condition is likely to exist or develop on other products of the same type design.

Related Service Information

We reviewed Airbus Helicopters Emergency Alert Service Bulletin No. 04A007, Revision 1, dated June 30, 2016 (EASB), for Airbus Helicopters Model EC120B helicopters. The EASB describes procedures for a pre-flight check of the float arm pushbutton while arming the emergency flotation gear and prohibits operators from flight over water if the float arm pushbutton fails.

We also reviewed Airbus Helicopters Alert Service Bulletin No. EC120–31A008, dated June 30, 2016 (ASB), for Airbus Helicopters Model EC 120B helicopters. The ASB describes procedures for replacing the float arm pushbutton with a new design pushbutton and for re-labeling the modified LACU with a new P/N label.

Proposed AD Requirements

This proposed AD would retain the RFMS amendment and repetitive functional check requirements of AD 2009–25–07. This proposed AD would add LACU P/N 040101BA to the applicability paragraph, require replacing the float arm pushbutton P/N 045004A111A with float arm pushbutton P/N 304–2500–00 within 300 hours time-in-service (TIS), and prohibit installing float arm pushbutton P/N 045004A111A on any helicopter. Replacing the float arm pushbutton would be a terminating action for the repetitive functional checks prior to flight overwater.

An owner/operator (pilot) may perform the functional check required by this AD and must enter compliance with that paragraph into the helicopter maintenance records in accordance with 14 CFR 43.9(a)(1) through (4) and 91.417(a)(2)(v). A pilot may perform this check because it involves only a functional check to determine whether the emergency flotation gear has been armed and can be performed equally well by a pilot or a mechanic. This check is an exception to our standard maintenance regulations.

This proposed AD would also revise the term ''emergency flotation gear lighting and ancillary control unit'' in the applicability paragraph to ''lighting and ancillary control unit'' for technical accuracy.

Differences Between This Proposed AD and the EASA AD

The EASA AD requires installing the LACU float arm pushbutton within 13 months; the proposed AD would require the installation within 300 hours TIS.

Costs of Compliance

We estimate that this proposed AD would affect 53 helicopters of U.S. Registry.

We estimate that operators may incur the following costs in order to comply with this AD. At an average labor rate of $85 per hour, the cost of revising the limitations section of the RFMS and of the pre-flight functional check is negligible. Replacing the float arm pushbutton would require about 2 work-hours, and required parts would cost about $311, for a cost per helicopter of $481 and a total cost of $25,493 to the U.S. fleet.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed, I certify this proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction; and

4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared an economic evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2009–25–07, Amendment 39–16126 (74 FR 65682, December 11, 2009), and adding the following new AD:

Airbus Helicopters (Previously Eurocopter France): Docket No. FAA–2017–0671; Directorate Identifier 2016–SW–072–AD.

(a) Applicability

This AD applies to Airbus Helicopters (previously Eurocopter France) Model EC120B helicopters, certificated in any category, with a Lighting and Ancillary Control Unit (LACU) part-number (P/N) 040101AB or 040101BA with a float arm pushbutton P/N 045004A111A installed.

(b) Unsafe Condition

This AD defines the unsafe condition as failure of a ''float arm'' pushbutton, which could result in inoperative floats being used in an emergency water ditching, causing damage to the helicopter or injury to occupants.

(c) Affected ADs

This AD supersedes AD 2009–25–07, Amendment 39–16126 (74 FR 65682, December 11, 2009).

(d) Comments Due Date

We must receive comments by September 12, 2017.

(e) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

(f) Required Actions

(1) Before further flight, amend the EC120B Rotorcraft Flight Manual Supplement (RFMS) for the emergency flotation gear Aerazur, by inserting a copy of this AD into the Limitations section of the RFMS or by making pen and ink changes to that section to add the information in figure 1 to paragraph (f)(1) of this AD:

Figure 1 to Paragraph (f)(1) – Amendment to RFMS

Arm the emergency flotation gear by pressing the LACU 'FLOAT ARM' pushbutton.

—If both lights of the pushbutton remain lit, flight over water is permitted.

—If one or both lights of the pushbutton do not remain lit, FLIGHT OVER WATER IS PROHIBITED.

(2) Before each flight over water:

(i) Perform a functional check to determine whether flight over water is permitted under the Limitations section in paragraph (f)(1) of this AD. For purposes of this AD, ''flight over water'' means flight beyond the power-off gliding distance from shore. ''Shore'' is an area of land adjacent to the water and above the high water mark but does not include land area that is intermittently under water. The actions required by this paragraph may be performed by the owner/operator (pilot) holding at least a private pilot certificate, and must be entered into the aircraft records showing compliance with this AD in accordance with 14 CFR 43.9 (a)(1) through (4) and 14 CFR 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

(ii) If the LACU fails the functional check required by paragraph (f)(2)(i) of this AD, place a placard over the ''float arm'' pushbutton that reads ''INOP.''

(3) Within 300 hours time-in-service, replace float arm pushbutton P/N 045004A111A with float arm pushbutton P/N 304–2500–00. Installing float arm pushbutton P/N 304–2500–00 is terminating action for the functional check and placard required by paragraphs (f)(2)(i) and (f)(2)(ii) of this AD.

(4) Do not install float arm pushbutton P/N 045004A111A on any helicopter.

(g) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Group, FAA, may approve AMOCs for this AD. Send your proposal to: George Schwab, Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 10101 Hillwood Pkwy, Fort Worth, TX 76177; telephone (817) 222–5110; email *9-ASW-FTW-AMOC-Requests@faa.gov.*

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

(h) Additional Information

(1) Airbus Helicopters Emergency Alert Service Bulletin No. 04A007, Revision 1, dated June 30, 2016, and Airbus Helicopters Alert Service Bulletin No. EC120–31A008, dated June 30, 2016, which are not incorporated by reference, contain additional information about the subject of this AD. For service information identified in this AD, contact Airbus Helicopters, 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641–0000 or (800) 232–0323; fax (972) 641–3775; or at *http://www.airbushelicopters.com/website/technical-expert/.* You may review a copy of the service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177.

(2) The subject of this AD is addressed in European Aviation Safety Agency (EASA) AD No. 2016–0180, dated September 13, 2016. You may view the EASA AD on the Internet at *http://www.regulations.gov* in the AD Docket.

(i) Subject

Joint Aircraft Service Component (JASC) Code: 2560 Emergency Equipment.

Issued in Fort Worth, Texas, on June 28, 2017.

Scott A. Horn,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2017–14373 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0695; Directorate Identifier 2016–NM–173–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2009–18–16, for certain Airbus Model A310–203, –204, –221, –222, –304, –322, –324, and –325 airplanes. AD 2009–18–16 requires an inspection for cracking of certain fastener holes on certain frames, and related investigative and corrective actions if necessary; and modification of certain fastener holes. Since we issued AD 2009–18–16, an evaluation by the design approval holder (DAH) indicated that the compliance times should be reduced. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by August 28, 2017.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–

30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

• *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Airbus SAS, Airworthiness Office—EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone: +33 5 61 93 36 96; fax: +33 5 61 93 44 51; email: *account.airworth-eas@airbus.com;* Internet: *http://www.airbus.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0695; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–2125; fax 425–227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2017–0695; Directorate Identifier 2016–NM–173–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

Fatigue damage can occur locally, in small areas or structural design details, or globally, in widespread areas. Multiple-site damage is widespread damage that occurs in a large structural element such as a single rivet line of a lap splice joining two large skin panels. Widespread damage can also occur in multiple elements such as adjacent frames or stringers. Multiple-site damage and multiple-element damage cracks are typically too small initially to be reliably detected with normal inspection methods. Without intervention, these cracks will grow, and eventually compromise the structural integrity of the airplane. This condition is known as widespread fatigue damage. It is associated with general degradation of large areas of structure with similar structural details and stress levels. As an airplane ages, widespread fatigue damage (WFD) will likely occur, and will certainly occur if the airplane is operated long enough without any intervention.

The FAA's WFD final rule (75 FR 69746, November 15, 2010) became effective on January 14, 2011. The WFD rule requires certain actions to prevent structural failure due to WFD throughout the operational life of certain existing transport category airplanes and all of these airplanes that will be certificated in the future. For existing and future airplanes subject to the WFD rule, the rule requires that DAHs establish a limit of validity (LOV) of the engineering data that support the structural maintenance program. Operators affected by the WFD rule may not fly an airplane beyond its LOV, unless an extended LOV is approved.

The WFD rule (75 FR 69746, November 15, 2010) does not require identifying and developing maintenance actions if the DAHs can show that such actions are not necessary to prevent WFD before the airplane reaches the LOV. Many LOVs, however, do depend on accomplishment of future maintenance actions. As stated in the WFD rule, any maintenance actions necessary to reach the LOV will be mandated by airworthiness directives through separate rulemaking actions.

In the context of WFD, this action is necessary to enable DAHs to propose LOVs that allow operators the longest operational lives for their airplanes, and still ensure that WFD will not occur. This approach allows for an implementation strategy that provides flexibility to DAHs in determining the timing of service information development (with FAA approval), while providing operators with certainty regarding the LOV applicable to their airplanes.

On August 24, 2009, we issued AD 2009–18–16, Amendment 39–16012 (74 FR 46342, September 9, 2009) (''AD 2009–18–16''), for certain Airbus Model A310–203, –204, –221, –222, –304, –322, –324, and –325 airplanes. AD 2009–18–16 was prompted by an identification of a structural modification that falls within the scope of the work related to the extension of the service life of the affected airplanes and widespread fatigue damage evaluations. AD 2009–18–16 requires inspecting by rotating probe for cracking of fastener holes H1 through H29 on frames (FRs) 43 through 46 inclusive, and inspecting fastener holes H1 through H29 on FRs 43 through 46 inclusive, to determine the edge distance of the fastener hole, and corrective actions if necessary. We issued AD 2009–18–16 to prevent fatigue cracking of the frame foot run-outs, which could lead to rupture of the frame foot and cracking in adjacent frames and skin, and which could result in reduced structural integrity of the fuselage.

Since we issued AD 2009–18–16, the manufacturer has conducted a new investigation as part of the WFD program and determined that the compliance times must be reduced. The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2016–0197, dated October 5, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), for all Airbus Model A310–203, –204, –221, –222, –304, –322, –324, and –325 airplanes. EASA AD 2016–0197 supersedes EASA AD 2008–0212, dated December 4, 2008. EASA AD 2008–0212 was the MCAI referred to in FAA AD 2009–18–16. The new MCAI states:

> Within the scope of work related to the extension of the service life of A310 design and widespread fatigue damage evaluations, DGAC [Direction Générale de l'Aviation Civile] France issued AD F–2005–078 (EASA approval 2005–3957) [which corresponds to FAA AD 2006–02–06, Amendment 39–14458 (71 FR 3214, January 20, 2006)] to require a structural modification, as defined in Airbus Service Bulletin (SB) A310–53–2124 (Airbus modification 13023), to increase the service life of junctions of center box upper frame bases to upper fuselage arches.
>
> The threshold timescales for accomplishment of the tasks as defined in SB A310–53–2124 were refined and reduced. Consequently, EASA issued AD 2007–0238 to require compliance with Revision 01 of SB

A310–53–2124 at the reduced compliance times, superseding (the requirements of) DGAC France AD F–2005–078. Subsequently, Airbus identified reference material that was erroneously introduced into Airbus SB A310–53–2124 Revision 01. As a result, the SB instructions could not be accomplished properly. Operators that tried to apply SB A310–53–2124 at Revision 01 had to contact Airbus; see also Airbus SBIT [service bulletin information telex] ref. 914.0135/08, dated 03 March 2008.

Consequently, [EASA] AD 2007–0238 was revised to exclude reference to Airbus SB A310–53–2124 Revision 01 and to require accomplishment of the task(s) as described in the original SB A310–53–2124 instead, although retaining the reduced compliance times introduced by [EASA] AD 2007–0238 at original issue.

EASA AD 2008–0212, superseding [EASA] AD 2007–0238R1, was published to refer to Airbus SB A310 53–2124 Revision 02, the corrected version that was used to meet the requirements of this [EASA] AD.

Since [EASA] AD 2008–0212 was issued, new investigations in the frame of the Widespread Fatigue Damage campaign induced thresholds reduction, and Airbus issued SB A310–53–2124 Revision 03.

For the reason described above, this [EASA] AD retains the requirements of EASA AD 2008–0212, which is superseded, and requires accomplishment of modification(s) within reduced compliance time, as published in Airbus SB A310–53–2124 Revision 03.

Required actions include a high frequency eddy current (HFEC) rotating probe inspection for cracking of certain fastener holes on certain frames, and related investigative and corrective actions if necessary; and modification of certain fastener holes. Related investigative actions include an additional HFEC rotating probe inspection for cracking of fastener holes and a check to determine the edge distance of certain holes. Corrective actions include ream out of cracks and repair. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0695.

Related Service Information Under 1 CFR Part 51

Airbus has issued Airbus Service Bulletin A310–53–2124, Revision 03, dated December 22, 2014. The service information describes procedures for a rototest inspection for cracking between FR 43 through FR 46 on the center box, and the cold expansion (modification) of the most fatigue sensitive fastener holes. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of these same type designs.

Differences Between This NPRM and the MCAI

There is a difference between this NPRM and the MCAI regarding how the compliance times are stated for the accomplishment of the inspection and modification specified in paragraph (j) of this proposed AD. The MCAI states that the accomplishment of the inspection and modification specified in Airbus Service Bulletin A310–53–2124 should be accomplished no later than 6 months (estimated by projection of airplane usage) prior to the thresholds specified in the MCAI. Paragraph (j) of this proposed AD specifies that the accomplishment of the inspection and modification should be done ''at the applicable thresholds specified in table 3 to the introductory text of paragraph (j) of this AD.'' The compliance times specified in table 3 to the introductory text of paragraph (j) of this proposed AD are based upon the average annual utilization of the Airbus airplanes identified in paragraph (c) of this proposed AD. Based on this information, we calculated that within 6 months an Airbus Model A310 series airplane would have accumulated an average of 300 flight cycles and 978 flight hours.

Costs of Compliance

We estimate that this proposed AD affects 8 airplanes of U.S. registry.

We estimate that it would take about 41 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Required parts would cost about $20,180 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be $189,320, or $23,665 per product.

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions (*i.e.,* additional inspection and modification for certain airplanes) specified in this proposed AD.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska; and

4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2009–18–16, Amendment 39–16012 (74 FR 46342, September 9, 2009), and adding the following new AD:

Airbus: Docket No. FAA–2017–0695; Directorate Identifier 2016–NM–173–AD.

(a) Comments Due Date

We must receive comments by August 28, 2017.

(b) Affected ADs

This AD replaces AD 2009–18–16, Amendment 39–16012 (74 FR 46342, September 9, 2009) (''AD 2009–18–16'').

(c) Applicability

This AD applies to Airbus Model A310–203, –204, –221, –222, –304, –322, –324 and –325 airplanes; certificated in any category; all serial numbers.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Reason

This AD was prompted by an evaluation by the design approval holder indicating that the junctions of center box upper frame bases to the upper fuselage arches are subject to widespread fatigue damage and that the compliance threshold for the modification in AD 2009–18–16 should be reduced. We are issuing this AD to prevent fatigue cracking of the frame foot run-outs, which could lead to rupture of the frame foot and cracking in adjacent frames and skin, and which could result in reduced structural integrity of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Inspections and Modification of Fastener Holes

Except for airplanes modified before the effective date of this AD using the Accomplishment Instructions of Airbus Service Bulletin A310–53–2124: At the times specified in paragraph (g)(1) of this AD but no later than the times specified in paragraph (g)(2) of this AD, do a high frequency eddy current (HFEC) rotating probe inspection for cracking of fastener holes H1 through H29 on frames 43 through 46, and do all applicable related investigative and corrective actions, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A310–53–2124, Revision 03, dated December 22, 2014, except as required by paragraph (h) of this AD. If no cracking is found and the edge distance of the fastener hole is equal to or greater than the distance specified in the Accomplishment Instructions of Airbus Service Bulletin A310–53–2124, Revision 03, dated December 22, 2014, before further flight, do the modification (cold expansion) of the affected fastener holes, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A310–53–2124, Revision 03, dated December 22, 2014. Do all applicable related investigative and corrective actions before further flight.

(1) Inspect at the applicable time specified in table 1 to paragraph (g)(1) of this AD, or within 24 months after the effective date of this AD, whichever occurs later. To establish the average flight time (AFT), take the accumulated flight time (counted from the take-off up to the landing) and divide by the number of accumulated flight cycles. This gives the AFT per flight cycle.

TABLE 1 TO PARAGRAPH (G)(1) OF THIS AD—NEW COMPLIANCE TIMES

Affected airplanes	Compliance time
Model A310–203, –204, –221, and –222 airplanes	Prior to accumulation of 19,600 flight cycles or 39,200 flight hours since first flight of the airplane, whichever occurs first.
Model A310–304, –322, –324, and –325 airplanes with an AFT of less than or equal to 3.16 flight hours.	Prior to accumulation of 22,400 flight cycles or 62,700 flight hours since first flight of the airplane, whichever occurs first.
Model A310–304, –322, –324, and –325 airplanes with an AFT greater than 3.16 flight hours.	Prior to accumulation of 19,800 flight cycles or 99,200 flight hours since first flight of the airplane, whichever occurs first.

(2) Inspect at the later of the times specified in paragraphs (g)(2)(i) and (g)(2)(ii) of this AD.

(i) At the applicable time indicated in table 2 to paragraph (g)(2)(i) of this AD. Airbus Model A310–304, –322, –324, and –325 airplanes with an AFT equal to or less than 3.17 flight hours are short range airplanes. Airbus Model A310–304, –322, –324, and –325 airplanes with an AFT exceeding 3.17 flight hours are long range airplanes. For this paragraph, to establish the average flight time, take the accumulated flight time (counted from the take-off up to the landing) and divide by the number of accumulated flight cycles. This provides the AFT per flight cycle.

TABLE 2 TO PARAGRAPH (G)(2)(I) OF THIS AD—RETAINED COMPLIANCE TIMES

Affected airplanes	Inspection/modification compliance time, whichever occurs later
Model A310–304, –322, –324 and –325 short range airplanes	Prior to accumulation of 26,500 flight cycles or 74,300 flight hours since first flight of the airplane, whichever occurs first Within 3,000 flight cycles after October 14, 2009 (the effective date of AD 2009–18–16), without exceeding 29,200 flight cycles or 81,800 flight hours since first flight, whichever occurs first
Model A310–304, –322, –324 and –325 long range airplanes	Prior to accumulation of 23,400 flight cycles or 117,100 flight hours since first flight of the airplane, whichever occurs first Within 3,000 flight cycles after October 14, 2009 (the effective date of AD 2009–18–16), without exceeding 25,800 flight cycles or 129,000 flight hours since first flight, whichever occurs first
Model A310–203, –204, –221, and A310–222	Prior to accumulation of 23,400 flight cycles or 46,800 flight hours since first flight of the airplane, whichever occurs first Within 3,000 flight cycles after October 14, 2009 (the effective date of AD 2009–18–16), without exceeding 28,800 flight cycles or 57,700 flight hours since first flight, whichever occurs first

(ii) Within 500 flight cycles or 800 flight hours after October 14, 2009 (the effective date of AD 2009–18–16), whichever occurs first.

(h) Service Information Exception

Where Airbus Service Bulletin A310–53–2124, Revision 03, dated December 22, 2014, specifies to contact Airbus for appropriate action, and specifies that action as ''RC'' (Required for Compliance): Before further flight, accomplish corrective actions in

accordance with the procedures specified in paragraph (l)(2) of this AD.

(i) Airplanes Modified per Revision 01 of the Service Information

For airplanes modified before the effective date of this AD using Airbus Service Bulletin A310–53–2124, Revision 01, dated May 3, 2007: Unless already accomplished, before further flight, do applicable corrective actions using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA).

(j) Additional Inspection and Modification

Except as provided by paragraphs (j)(1) and (j)(2) of this AD, as applicable: At the applicable thresholds specified in table 3 to the introductory text of paragraph (j) of this AD, contact the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or EASA; or Airbus's EASA DOA for additional inspection and modification instructions. Accomplish those instructions within the compliance times provided by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or EASA; or Airbus's EASA DOA.

TABLE 3 TO THE INTRODUCTORY TEXT OF PARAGRAPH (J) OF THIS AD—ADDITIONAL INSPECTION AND MODIFICATION

Affected airplanes	Thresholds (Flight cycles or flight hours, whichever occurs first after accomplishment of the inspection and modification specified in Airbus Service Bulletin A310–53–2124)	
	Inspection threshold	Modification threshold
Model A310–203, –204, –221, and –222 airplanes.	30,200 flight cycles or 68,122 flight hours	45,500 flight cycles or 102,722 flight hours
Model A310–304, –322, –324, and –325 airplanes.	37,000 flight cycles or 103,522 flight hours	55,700 flight cycles or 155,722 flight hours

(1) For Model A310–203, –204, –221, and –222 airplanes: No additional inspection is required if the inspection and modification specified in Airbus Service Bulletin A310–53–2124 was done after the accumulation of 29,500 flight cycles and 70,900 flight hours since the first flight of the airplane.

(2) For Model A310–304, –322, –324, and –325 airplanes: No additional inspection is required if the inspection and modification specified in Airbus Service Bulletin A310–53–2124 was done after the accumulation of 22,600 flight cycles and 69,400 flight hours since the first flight of the airplane.

(k) Credit for Previous Actions

This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using the Accomplishment Instructions of Airbus Service Bulletin A310–53–2124, dated April 4, 2005; or Airbus Service Bulletin A310–53–2124, Revision 02, dated May 22, 2008.

(l) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to the attention of the person identified in paragraph (m)(2) of this AD. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer:* As of the effective date of this AD, for any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or EASA; or Airbus's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as provided by paragraph (h) of this AD: If any service information contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(m) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA AD 2016–0197, dated October 5, 2016, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0695.

(2) For more information about this AD, contact Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone: 425–227–2125; fax: 425–227–1149.

(3) For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone: +33 5 61 93 36 96; fax: +33 5 61 93 44 51; email: *account.airworth-eas@airbus.com;* Internet: *http://www.airbus.com.* You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on June 29, 2017.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–14590 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0630; Directorate Identifier 2017–NM–058–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain The Boeing Company Model 777–200, –200LR, –300, and –300ER series airplanes. This proposed AD was prompted by reports of corrosion in the aft fuselage. This proposed AD would require a one-time review of the operator's maintenance procedures, repetitive detailed internal and external inspections for corrosion or cracking, and applicable on-condition actions. This proposed AD would also include an optional terminating action for the inspections. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by August 28, 2017.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; Internet *https://www.myboeingfleet.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0630.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0630; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Eric Lin, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6412; fax: 425–917–6590; email: *eric.lin@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2017–0630; Directorate Identifier 2017–NM–058–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. We will consider all comments received by the closing date and may amend this NPRM because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

We have received reports indicating extensive corrosion was found in the lower left side of the aft fuselage, between station 1790 and station 2033.5, from stringer S–34L to stringer S–49R. On several airplanes, additional corrosion was found after initial repairs were made to adjacent areas. This corrosion was caused by a failure to fully clean and neutralize spills or leaks of acidic or corrosive contents from the vacuum waste system. Vacuum waste system residue on the structure or in insulation blankets becomes reactivated with moisture that develops during flight, causing additional corrosion. Untreated spills can allow the breakdown of protective finishes and accelerate the corrosion reaction rate. This condition, if not corrected, could cause fatigue cracks, which could result in rapid decompression and loss of structural integrity.

Related Service Information Under 1 CFR Part 51

We reviewed Boeing Alert Service Bulletin 777–53A0083, dated April 20, 2017. The service information describes procedures for a one-time review of the operator's maintenance procedures, repetitive detailed internal and external inspections for corrosion or cracking, cleaning and neutralization of the internal inspection area (an optional terminating action), and applicable on-condition actions. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would require accomplishment of the actions identified as ''RC'' (required for compliance) in the Accomplishment Instructions of Boeing Alert Service Bulletin 777–53A0083, dated April 20, 2017, described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

For information on the procedures and compliance times, see this service information at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0630.

Costs of Compliance

We estimate that this proposed AD affects 161 airplanes of U.S. registry. The cost to review an operator's maintenance program varies depending on the operator's recordkeeping system and fleet size. We estimate the following costs to comply with the remaining actions of this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspections	75 work-hours × $85 per hour = $6,375 per inspection cycle	$0	$6,375 per inspection cycle.	$1,026,375 per inspection cycle

ESTIMATED COSTS FOR OPTIONAL TERMINATING ACTIONS

Action	Labor cost	Parts cost	Cost per product
Cleaning and neutralization	30 work-hours × $85 per hour = $2,550	$0	$2,550

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this proposed AD.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

The Boeing Company: Docket No. FAA–2017–0630; Directorate Identifier 2017–NM–058–AD.

(a) Comments Due Date

We must receive comments by August 28, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 777–200, –200LR, –300, and –300ER series airplanes, certificated in any category, as identified in Boeing Alert Service Bulletin 777–53A0083, dated April 20, 2017.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by reports of extensive corrosion in the aft fuselage. We are issuing this AD to detect and correct untreated vacuum waste system spills, which could cause corrosion of the airplane structure, which could lead to fatigue cracks, and could ultimately result in rapid decompression and loss of structural integrity.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

Except as required by paragraph (h) of this AD: At the applicable times specified in paragraph 1.E., ''Compliance,'' of Boeing Alert Service Bulletin 777–53A0083, dated April 20, 2017, do all applicable actions identified as ''RC'' (required for compliance) in, and in accordance with, the Accomplishment Instructions of Boeing Alert Service Bulletin 777–53A0083, dated April 20, 2017.

(h) Exceptions to Service Information Specifications

(1) Where Boeing Alert Service Bulletin 777–53A0083, dated April 20, 2017, uses the phrase ''after the original issue date of this service bulletin,'' for purposes of determining compliance with the requirements of this AD, the phrase ''after the effective date of this AD'' must be used.

(2) Where Boeing Alert Service Bulletin 777–53A0083, dated April 20, 2017, specifies contacting Boeing, and specifies that action as RC: This AD requires using a method approved in accordance with the procedures specified in paragraph (j) of this AD.

(i) Optional Terminating Action for Repetitive Inspections

Accomplishment of ''PART 5: CLEANING AND NEUTRALIZATION,'' as specified in the Accomplishment Instructions of Boeing Alert Service Bulletin 777–53A0083, dated April 20, 2017, terminates the repetitive inspections required by paragraph (g) of this AD.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (k)(1) of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) Except as required by paragraph (h)(2) of this AD: For service information that contains steps that are labeled as RC, the provisions of paragraphs (j)(4)(i) and (j)(4)(ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is

labeled ''RC Exempt,'' then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

(k) Related Information

(1) For more information about this AD, contact Eric Lin, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle ACO, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6412; fax: 425–917–6590; email: *eric.lin@faa.gov.*

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; Internet *https://www.myboeingfleet.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on June 29, 2017.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–14582 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Chapter I

46 CFR Chapters I and III

49 CFR Chapter IV

[Docket No. USCG–2017–0665]

Towing Safety Advisory Committee—Input To Support Regulatory Reform of Coast Guard Regulations—New Task

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Announcement of new task assignment for the Towing Safety Advisory Committee (TSAC); teleconference meeting.

SUMMARY: The U.S. Coast Guard is issuing a new task to the Towing Safety Advisory Committee (TSAC). The U.S. Coast Guard is asking TSAC to help the agency identify existing regulations, guidance, and collections of information (that fall within the scope of the Committee's charter) for possible repeal, replacement, or modification. This tasking is in response to the issuance of Executive Orders 13771, ''Reducing Regulation and Controlling Regulatory Costs; 13777, ''Enforcing the Regulatory Reform Agenda;'' and 13783, ''Promoting Energy Independence and Economic Growth.'' The full Committee is scheduled to meet by teleconference on August 2, 2017, to discuss this tasking. This teleconference will be open to the public. The U.S. Coast Guard will consider TSAC recommendations as part of the process of identifying regulations, guidance, and collections of information to be repealed, replaced, or modified pursuant to the three Executive Orders discussed above.

DATES: The full Committee is scheduled to meet by teleconference on August 2, 2017, from 1 p.m. to 2:30 p.m. EDT. Please note that this teleconference may adjourn early if the Committee has completed its business.

ADDRESSES: To join the teleconference or to request special accommodations, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section no later than 1 p.m. on July 28, 2017. The number of teleconference lines is limited and will be available on a first-come, first-served basis.

Instructions: Submit comments on the task statement at any time, including orally at the teleconference, but if you want Committee members to review your comments before the teleconference, please submit your comments no later than July 28, 2017.

You must include the words ''Department of Homeland Security'' and the docket number for this action. Written comments may also be submitted using the Federal e-Rulemaking Portal at *http://www.regulations.gov.* If you encounter technical difficulties with comment submission, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. Comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided. You may review *Regulations.gov*'s Privacy and Security Notice at *https://www.regulations.gov/privacyNotice.*

Docket Search: For access to the docket or to read documents or comments related to this notice, go to *http://www.regulations.gov,* insert ''USCG–2017–0665'' in the Search box, press Enter, and then click on the item you wish to view.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander William Nabach, Alternate Designated Federal Officer of the Towing Safety Advisory Committee, telephone (202) 372–1386, or email *william.a.nabach@uscg.mil.*

SUPPLEMENTARY INFORMATION:

New Task to the Committee

The U.S. Coast Guard is issuing a new task to TSAC to provide recommendations on whether existing regulations, guidance, and information collections (that fall within the scope of the Committee's charter) should be repealed, replaced, or modified. TSAC will then provide advice and recommendations on the assigned task and submit a final recommendation report to the U.S. Coast Guard.

Background

On January 30, 2017, President Trump issued Executive Order 13771, ''Reducing Regulation and Controlling Regulatory Costs.'' Under that Executive Order, for every one new regulation issued, at least two prior regulations must be identified for elimination, and the cost of planned regulations must be prudently managed and controlled through a budgeting process. On February 24, 2017, the President issued Executive Order 13777, ''Enforcing the Regulatory Reform Agenda.'' That Executive Order directs agencies to take specific steps to identify and alleviate unnecessary regulatory burdens placed on the American people. On March 28, 2017, the President issued Executive Order 13783, ''Promoting Energy Independence and Economic Growth.'' Executive Order 13783 promotes the clean and safe development of our Nation's vast energy resources, while at the same time avoiding agency actions that unnecessarily encumber energy production.

When implementing the regulatory offsets required by Executive Order 13771, each agency head is directed to prioritize, to the extent permitted by law, those regulations that the agency's Regulatory Reform Task Force identifies as outdated, unnecessary, or ineffective in accordance with Executive Order 13777. As part of this process to comply with all three Executive Orders, the U.S. Coast Guard is reaching out through multiple avenues to interested individuals to gather their input about what regulations, guidance, and information collections, they believe may need to be repealed, replaced, or modified. On June 8, 2017, the U.S. Coast Guard issued a general notice in the **Federal Register** requesting comments from interested individuals regarding their recommendations, 82 FR 26632. In addition to this general solicitation, the U.S. Coast Guard also

wants to leverage the expertise of its Federal Advisory Committees and is issuing similar tasks to each of its Committees. A detailed discussion of each of the Executive orders and information on where U.S. Coast Guard regulations, guidance, and information collections are found is in the June 8th notice.

The Task

TSAC is tasked to:

Provide input to the U.S. Coast Guard on all existing regulations, guidance, and information collections that fall within the scope of the Committee's charter.

1. One or more subcommittees/working groups, as needed, will be established to work on this tasking in accordance with the Committee charter and bylaws. The subcommittee(s) shall terminate upon the approval and submission of a final recommendation to the U.S. Coast Guard from the parent Committee.

2. Review regulations, guidance, and information collections and provide recommendations whether an existing rule, guidance, or information collection should be repealed, replaced or modified. If the Committee recommends modification, please provide specific recommendations for how the regulation, guidance, or information collection should be modified. Recommendations should include an explanation on how and to what extent repeal, replacement or modification will reduce costs or burdens to industry and the extent to which risks to health or safety would likely increase.

a. Identify regulations, guidance, or information collections that potentially impose the following types of burden on the industry:

i. Regulations, guidance, or information collections imposing administrative burdens on the industry.

ii. Regulations, guidance, or information collections imposing burdens in the development or use of domestically produced energy resources. ''Burden,'' for the purposes of compliance with Executive Order 13783, means ''to unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources.''

b. Identify regulations, guidance, or information collections that potentially impose the following types of costs on the industry:

i. Regulations, guidance, or information collections imposing costs that are outdated (such as due to technological advancement), or are no longer necessary.

ii. Regulations, guidance, or information collections imposing costs which are no longer enforced as written or which are ineffective.

iii. Regulations, guidance, or information collections imposing costs tied to reporting or recordkeeping requirements that impose burdens that exceed benefits. Explain why the reporting or recordkeeping requirement is overly burdensome, unnecessary, or how it could be modified.

c. Identify regulations, guidance, and information collections that the Committee believes have led to the elimination of jobs or inhibits job creation within a particular industry.

3. All regulations, guidance, and information collections, or parts thereof, recommended by the Committee should be described in sufficient detail (by section, paragraph, sentence, clause, etc.) so that it can readily be identified. Data (quantitative or qualitative) should be provided to support and illustrate the impact, cost, or burden, as applicable, for each recommendation. If the data is not readily available, the Committee should include information as to how such information can be obtained either by the Committee or directly by the Coast Guard.

Public Participation

All meetings associated with this tasking, both full Committee meetings and subcommittee/working groups, are open to the public. A public oral comment period will be held during the August 2, 2017, teleconference. Public comments or questions will be taken at the discretion of the Designated Federal Officer; commenters are requested to limit their comments to 3 minutes. Please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section, to register as a commenter. Subcommittee meetings held in association with this tasking will be announced as they are scheduled through notices posted to able at: *http://homeport.uscg.mil/tsac* and uploaded as supporting documents in the electronic docket for this action, [USCG–2017–0665], at *Regulations.gov.*

J.G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2017–14772 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Chapter I

46 CFR Chapters I and III

49 CFR Chapter IV

[Docket No. USCG–2017–0661]

Merchant Marine Personnel Advisory Committee—Input To Support Regulatory Reform of Coast Guard Regulations—New Task

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Announcement of new task assignment for the Merchant Marine Personnel Advisory Committee (MERPAC); teleconference meeting.

SUMMARY: The U.S. Coast Guard is issuing a new task to the Merchant Marine Personnel Advisory Committee (MERPAC). The U.S. Coast Guard is asking MERPAC to help the agency identify existing regulations, guidance, and collections of information (that fall within the scope of the Committee's charter) for possible repeal, replacement, or modification. This tasking is in response to the issuance of Executive Orders 13771, ''Reducing Regulation and Controlling Regulatory Costs; 13777, ''Enforcing the Regulatory Reform Agenda;'' and 13783, ''Promoting Energy Independence and Economic Growth.'' The full Committee is scheduled to meet by teleconference on August 8, 2017 to discuss this tasking. This teleconference will be open to the public. The U.S. Coast Guard will consider MERPAC recommendations as part of the process of identifying regulations, guidance, and collections of information to be repealed, replaced, or modified pursuant to the three Executive Orders discussed above.

DATES: The full Committee is scheduled to meet by teleconference on August 8, 2017, from 3 p.m. to 4 p.m. EDT. Please note that this teleconference may adjourn early if the Committee has completed its business.

ADDRESSES: To join the teleconference or to request special accommodations, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section no later than 1 p.m. on August 1, 2017. The number of teleconference lines is limited and will be available on a first-come, first-served basis.

Instructions: Submit comments on the task statement at any time, including orally at the teleconference, but if you want Committee members to review your comments before the teleconference, please submit your comments no later than August 1, 2017. You must include the words ''Department of Homeland Security'' and the docket number for this action. Written comments may also be submitted using the Federal e-Rulemaking Portal at *http://www.regulations.gov.* If you encounter technical difficulties with comment submission, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. Comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided. You may review *Regulations.gov*'s Privacy

and Security Notice at *https://www.regulations.gov/privacyNotice.*

Docket Search: For access to the docket or to read documents or comments related to this notice, go to *http://www.regulations.gov,* insert ''USCG–2017–0661'' in the Search box, press Enter, and then click on the item you wish to view.

FOR FURTHER INFORMATION CONTACT: Lieutenant Junior Grade James Fortin, Alternate Designated Federal Officer of the Merchant Marine Personnel Advisory Committee, (202) 372–1128, or email *james.l.fortin@uscg.mil.*

SUPPLEMENTARY INFORMATION:

New Task to the Committee

The U.S. Coast Guard is issuing a new task to MERPAC to provide recommendations on whether existing regulations, guidance, and information collections (that fall within the scope of the Committee's charter) should be repealed, replaced, or modified. MERPAC will then provide advice and recommendations on the assigned task and submit a final recommendation report to the U.S. Coast Guard.

Background

On January 30, 2017, President Trump issued Executive Order 13771, ''Reducing Regulation and Controlling Regulatory Costs.'' Under that Executive Order, for every one new regulation issued, at least two prior regulations must be identified for elimination, and the cost of planned regulations must be prudently managed and controlled through a budgeting process. On February 24, 2017, the President issued Executive Order 13777, ''Enforcing the Regulatory Reform Agenda.'' That Executive Order directs agencies to take specific steps to identify and alleviate unnecessary regulatory burdens placed on the American people. On March 28, 2017, the President issued Executive Order 13783, ''Promoting Energy Independence and Economic Growth.'' Executive Order 13783 promotes the clean and safe development of our Nation's vast energy resources, while at the same time avoiding agency actions that unnecessarily encumber energy production.

When implementing the regulatory offsets required by Executive Order 13771, each agency head is directed to prioritize, to the extent permitted by law, those regulations that the agency's Regulatory Reform Task Force identifies as outdated, unnecessary, or ineffective in accordance with Executive Order 13777. As part of this process to comply with all three Executive Orders, the U.S. Coast Guard is reaching out through multiple avenues to interested individuals to gather their input about what regulations, guidance, and information collections, they believe may need to be repealed, replaced, or modified. On June 8, 2017, the U.S. Coast Guard issued a general notice in the **Federal Register** requesting comments from interested individuals regarding their recommendations, 82 FR 26632. In addition to this general solicitation, the U.S. Coast Guard also wants to leverage the expertise of its Federal Advisory Committees and is issuing similar tasks to each of its Committees. A detailed discussion of each of the Executive orders and information on where U.S. Coast Guard regulations, guidance, and information collections are found is in the June 8th notice.

The Task

MERPAC is tasked to:

Provide input to the U.S. Coast Guard on all existing regulations, guidance, and information collections that fall within the scope of the Committee's charter.

1. One or more subcommittees/working groups, as needed, will be established to work on this tasking in accordance with the Committee charter and bylaws. The subcommittee(s) shall terminate upon the approval and submission of a final recommendation to the U.S. Coast Guard from the parent Committee.

2. Review regulations, guidance, and information collections and provide recommendations whether an existing rule, guidance, or information collection should be repealed, replaced or modified. If the Committee recommends modification, please provide specific recommendations for how the regulation, guidance, or information collection should be modified. Recommendations should include an explanation on how and to what extent repeal, replacement or modification will reduce costs or burdens to industry and the extent to which risks to health or safety would likely increase.

a. Identify regulations, guidance, or information collections that potentially impose the following types of burden on the industry:

i. Regulations, guidance, or information collections imposing administrative burdens on the industry.

ii. Regulations, guidance, or information collections imposing burdens in the development or use of domestically produced energy resources. ''Burden,'' for the purposes of compliance with Executive Order 13783, means ''to unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources.''

b. Identify regulations, guidance, or information collections that potentially impose the following types of costs on the industry:

i. Regulations, guidance, or information collections imposing costs that are outdated (such as due to technological advancement), or are no longer necessary.

ii. Regulations, guidance, or information collections imposing costs which are no longer enforced as written or which are ineffective.

iii. Regulations, guidance, or information collections imposing costs tied to reporting or recordkeeping requirements that impose burdens that exceed benefits. Explain why the reporting or recordkeeping requirement is overly burdensome, unnecessary, or how it could be modified.

c. Identify regulations, guidance, and information collections that the Committee believes have led to the elimination of jobs or inhibits job creation within a particular industry.

3. All regulations, guidance, and information collections, or parts thereof, recommended by the Committee should be described in sufficient detail (by section, paragraph, sentence, clause, etc.) so that it can readily be identified. Data (quantitative or qualitative) should be provided to support and illustrate the impact, cost, or burden, as applicable, for each recommendation. If the data is not readily available, the Committee should include information as to how such information can be obtained either by the Committee or directly by the Coast Guard.

Public Participation

All meetings associated with this tasking, both full Committee meetings and subcommittee/working groups, are open to the public. A public oral comment period will be held during the August 8, 2017, teleconference. Public comments or questions will be taken at the discretion of the Designated Federal Officer; commenters are requested to limit their comments to 3 minutes. Please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section, to register as a commenter. Subcommittee meetings held in association with this tasking will be announced as they are scheduled through notices posted to *http://homeport@uscg.mil/merpac* and uploaded as supporting documents in the electronic docket for this action, [USCG–2017–0661], at *Regulations.gov.*

J.G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2017–14770 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Chapter I

46 CFR Chapters I and III

49 CFR Chapter IV

[Docket No. USCG–2017–0660]

Merchant Mariner Medical Advisory Committee—Input To Support Regulatory Reform of Coast Guard Regulations—New Task

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Announcement of new task assignment for the Merchant Marine Medical Advisory Committee (MEDMAC); teleconference meeting.

SUMMARY: The U.S. Coast Guard is issuing a new task to the Merchant Mariner Medical Advisory Committee (MEDMAC). The U.S. Coast Guard is asking MEDMAC to help the agency identify existing regulations, guidance, and collections of information (that fall within the scope of the Committee's charter) for possible repeal, replacement, or modification. This tasking is in response to the issuance of Executive Orders 13771, ''Reducing Regulation and Controlling Regulatory Costs; 13777, ''Enforcing the Regulatory Reform Agenda;'' and 13783, ''Promoting Energy Independence and Economic Growth.'' The full Committee is scheduled to meet by teleconference on August 9, 2015, to discuss this tasking. This teleconference will be open to the public. The U.S. Coast Guard will consider MEDMAC recommendations as part of the process of identifying regulations, guidance, and collections of information to be repealed, replaced, or modified pursuant to the three Executive Orders discussed above.

DATES: The full Committee is scheduled to meet by teleconference on August 9, 2017, from 2 p.m. to 3 p.m. EDT. Please note that this teleconference may adjourn early if the Committee has completed its business.

ADDRESSES: To join the teleconference or to request special accommodations, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section no later than 1 p.m. on August 2, 2017. The number of teleconference lines is limited and will be available on a first-come, first-served basis.

Instructions: Submit comments on the task statement at any time, including orally at the teleconference, but if you want Committee members to review your comments before the teleconference, please submit your comments no later than August 2, 2017. You must include the words ''Department of Homeland Security'' and the docket number for this action. Written comments may also be submitted using the Federal e-Rulemaking Portal at *http://www.regulations.gov*. If you encounter technical difficulties with comment submission, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. Comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided. You may review Regulations.gov's Privacy and Security Notice at *https://www.regulations.gov/privacyNotice*.

Docket Search: For access to the docket or to read documents or comments related to this notice, go to *http://www.regulations.gov,* insert ''USCG–2017–0660'' in the Search box, press Enter, and then click on the item you wish to view.

FOR FURTHER INFORMATION CONTACT: Lieutenant Junior Grade James Fortin, Alternate Designated Federal Officer of the Merchant Mariner Medical Advisory Committee, (202) 372–1128, or email *james.l.fortin@uscg.mil*.

SUPPLEMENTARY INFORMATION:

New Task to the Committee

The U.S. Coast Guard is issuing a new task to MEDMAC to provide recommendations on whether existing regulations, guidance, and information collections (that fall within the scope of the Committee's charter) should be repealed, replaced, or modified. MEDMAC will then provide advice and recommendations on the assigned task and submit a final recommendation report to the U.S. Coast Guard.

Background

On January 30, 2017, President Trump issued Executive Order 13771, ''Reducing Regulation and Controlling Regulatory Costs.'' Under that Executive Order, for every one new regulation issued, at least two prior regulations must be identified for elimination, and the cost of planned regulations must be prudently managed and controlled through a budgeting process. On February 24, 2017, the President issued Executive Order 13777, ''Enforcing the Regulatory Reform Agenda.'' That Executive Order directs agencies to take specific steps to identify and alleviate unnecessary regulatory burdens placed on the American people. On March 28, 2017, the President issued Executive Order 13783, ''Promoting Energy Independence and Economic Growth.'' Executive Order 13783 promotes the clean and safe development of our Nation's vast energy resources, while at the same time avoiding agency actions that unnecessarily encumber energy production.

When implementing the regulatory offsets required by Executive Order 13771, each agency head is directed to prioritize, to the extent permitted by law, those regulations that the agency's Regulatory Reform Task Force identifies as outdated, unnecessary, or ineffective in accordance with Executive Order 13777. As part of this process to comply with all three Executive Orders, the U.S. Coast Guard is reaching out through multiple avenues to interested individuals to gather their input about what regulations, guidance, and information collections, they believe may need to be repealed, replaced, or modified. On June 8, 2017, the U.S. Coast Guard issued a general notice in the **Federal Register** requesting comments from interested individuals regarding their recommendations, 82 FR 26632. In addition to this general solicitation, the U.S. Coast Guard also wants to leverage the expertise of its Federal Advisory Committees and is issuing similar tasks to each of its Committees. A detailed discussion of each of the Executive orders and information on where U.S. Coast Guard regulations, guidance, and information collections are found is in the June 8th notice.

The Task

MEDMAC is tasked to:

Provide input to the U.S. Coast Guard on all existing regulations, guidance, and information collections that fall within the scope of the Committee's charter.

1. One or more subcommittees/working groups, as needed, will be established to work on this tasking in accordance with the Committee charter and bylaws. The subcommittee(s) shall terminate upon the approval and submission of a final recommendation to the U.S. Coast Guard from the parent Committee.

2. Review regulations, guidance, and information collections and provide recommendations whether an existing rule, guidance, or information collection should be repealed, replaced or modified. If the Committee recommends modification, please provide specific recommendations for how the regulation, guidance, or information collection should be modified. Recommendations should include an explanation on how and to what extent repeal, replacement or modification will reduce costs or burdens to industry and the

extent to which risks to health or safety would likely increase.

a. Identify regulations, guidance, or information collections that potentially impose the following types of burden on the industry:

i. Regulations, guidance, or information collections imposing administrative burdens on the industry.

ii. Regulations, guidance, or information collections imposing burdens in the development or use of domestically produced energy resources. ''Burden,'' for the purposes of compliance with Executive Order 13783, means ''to unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources.''

b. Identify regulations, guidance, or information collections that potentially impose the following types of costs on the industry:

i. Regulations, guidance, or information collections imposing costs that are outdated (such as due to technological advancement), or are no longer necessary.

ii. Regulations, guidance, or information collections imposing costs which are no longer enforced as written or which are ineffective.

iii. Regulations, guidance, or information collections imposing costs tied to reporting or recordkeeping requirements that impose burdens that exceed benefits. Explain why the reporting or recordkeeping requirement is overly burdensome, unnecessary, or how it could be modified.

c. Identify regulations, guidance, and information collections that the Committee believes have led to the elimination of jobs or inhibits job creation within a particular industry.

3. All regulations, guidance, and information collections, or parts thereof, recommended by the Committee should be described in sufficient detail (by section, paragraph, sentence, clause, etc.) so that it can readily be identified. Data (quantitative or qualitative) should be provided to support and illustrate the impact, cost, or burden, as applicable, for each recommendation. If the data is not readily available, the Committee should include information as to how such information can be obtained either by the Committee or directly by the Coast Guard.

Public Participation

All meetings associated with this tasking, both full Committee meetings and subcommittee/working groups, are open to the public. A public oral comment period will be held during the August 9, 2017, teleconference. Public comments or questions will be taken at the discretion of the Designated Federal Officer; commenters are requested to limit their comments to 3 minutes. Please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section, to register as a commenter. Subcommittee meetings held in association with this tasking will be announced as they are scheduled through notices posted to *http://homeport@uscg.mil/medmac* and uploaded as supporting documents in the electronic docket for this action, [USCG–2017–0660], at *Regulations.gov*.

J.G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2017–14769 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Chapter I

46 CFR Chapters I and III

49 CFR Chapter IV

[Docket No. USCG–2017–0664]

National Offshore Safety Advisory Committee—Input To Support Regulatory Reform of Coast Guard Regulations—New Task

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Announcement of new task assignment for the National Offshore Safety Advisory Committee (NOSAC); notice of teleconference meeting.

SUMMARY: The U.S. Coast Guard is issuing a new task to the National Offshore Safety Advisory Committee (NOSAC). The U.S. Coast Guard is asking NOSAC to help the agency identify existing regulations, guidance, and collections of information (that fall within the scope of the Committee's charter) for possible repeal, replacement, or modification. This tasking is in response to the issuance of Executive Orders 13771, ''Reducing Regulation and Controlling Regulatory Costs; 13777, ''Enforcing the Regulatory Reform Agenda;'' and 13783, ''Promoting Energy Independence and Economic Growth.'' The full Committee is scheduled to meet by teleconference on August 3, 2017, to discuss this tasking. This teleconference will be open to the public. The U.S. Coast Guard will consider NOSAC recommendations as part of the process of identifying regulations, guidance, and collections of information to be repealed, replaced, or modified pursuant to the three Executive Orders discussed above.

DATES: The full Committee is scheduled to meet by teleconference on August 3, 2017, from 10:30 a.m. to 11:30 a.m. EDT. Please note that this teleconference may adjourn early if the Committee has completed its business.

ADDRESSES: To join the teleconference or to request special accommodations, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section no later than 1 p.m. on July 31, 2017. The number of teleconference lines is limited and will be available on a first-come, first-served basis.

Instructions: Submit comments on the task statement at any time, including orally at the teleconference, but if you want Committee members to review your comments before the teleconference, please submit your comments no later than July 31, 2017.

You must include the words ''Department of Homeland Security'' and the docket number for this action. Written comments may also be submitted using the Federal e-Rulemaking Portal at *http://www.regulations.gov*. If you encounter technical difficulties with comment submission, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. Comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided. You may review *Regulations.gov's* Privacy and Security Notice at *https://www.regulations.gov/privacyNotice*.

Docket Search: For access to the docket or to read documents or comments related to this notice, go to *http://www.regulations.gov,* insert ''USCG–2017–0664'' in the Search box, press Enter, and then click on the item you wish to view.

FOR FURTHER INFORMATION CONTACT: Mr. Patrick Clark, Alternate Designated Federal Officer of the National Offshore Safety Advisory Committee, telephone (202) 372–1358, or email *patrick.w.clark@uscg.mil*.

SUPPLEMENTARY INFORMATION:

New Task to the Committee

The U.S. Coast Guard is issuing a new task to NOSAC to provide recommendations on whether existing regulations, guidance, and information collections (that fall within the scope of the Committee's charter) should be repealed, replaced, or modified. NOSAC will then provide advice and recommendations on the assigned task and submit a final recommendation report to the U.S. Coast Guard.

Background

On January 30, 2017, President Trump issued Executive Order 13771, ''Reducing Regulation and Controlling Regulatory Costs.'' Under that Executive

Order, for every one new regulation issued, at least two prior regulations must be identified for elimination, and the cost of planned regulations must be prudently managed and controlled through a budgeting process. On February 24, 2017, the President issued Executive Order 13777, ''Enforcing the Regulatory Reform Agenda.'' That Executive Order directs agencies to take specific steps to identify and alleviate unnecessary regulatory burdens placed on the American people. On March 28, 2017, the President issued Executive Order 13783, ''Promoting Energy Independence and Economic Growth.'' Executive Order 13783 promotes the clean and safe development of our Nation's vast energy resources, while at the same time avoiding agency actions that unnecessarily encumber energy production.

When implementing the regulatory offsets required by Executive Order 13771, each agency head is directed to prioritize, to the extent permitted by law, those regulations that the agency's Regulatory Reform Task Force identifies as outdated, unnecessary, or ineffective in accordance with Executive Order 13777. As part of this process to comply with all three Executive Orders, the U.S. Coast Guard is reaching out through multiple avenues to interested individuals to gather their input about what regulations, guidance, and information collections, they believe may need to be repealed, replaced, or modified. On June 8, 2017, the U.S. Coast Guard issued a general notice in the **Federal Register** requesting comments from interested individuals regarding their recommendations, 82 FR 26632. In addition to this general solicitation, the U.S. Coast Guard also wants to leverage the expertise of its Federal Advisory Committees and is issuing similar tasks to each of its Committees. A detailed discussion of each of the Executive orders and information on where U.S. Coast Guard regulations, guidance, and information collections are found is in the June 8th notice.

The Task

NOSAC is tasked to:

Provide input to the U.S. Coast Guard on all existing regulations, guidance, and information collections that fall within the scope of the Committee's charter.

1. One or more subcommittees/working groups, as needed, will be established to work on this tasking in accordance with the Committee charter and bylaws. The subcommittee(s) shall terminate upon the approval and submission of a final recommendation to the U.S. Coast Guard from the parent Committee.

2. Review regulations, guidance, and information collections and provide recommendations whether an existing rule, guidance, or information collection should be repealed, replaced or modified. If the Committee recommends modification, please provide specific recommendations for how the regulation, guidance, or information collection should be modified. Recommendations should include an explanation on how and to what extent repeal, replacement or modification will reduce costs or burdens to industry and the extent to which risks to health or safety would likely increase.

a. Identify regulations, guidance, or information collections that potentially impose the following types of burden on the industry:

i. Regulations, guidance, or information collections imposing administrative burdens on the industry.

ii. Regulations, guidance, or information collections imposing burdens in the development or use of domestically produced energy resources. ''Burden,'' for the purposes of compliance with Executive Order 13783, means ''to unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources.''

b. Identify regulations, guidance, or information collections that potentially impose the following types of costs on the industry:

i. Regulations, guidance, or information collections imposing costs that are outdated (such as due to technological advancement), or are no longer necessary.

ii. Regulations, guidance, or information collections imposing costs which are no longer enforced as written or which are ineffective.

iii. Regulations, guidance, or information collections imposing costs tied to reporting or recordkeeping requirements that impose burdens that exceed benefits. Explain why the reporting or recordkeeping requirement is overly burdensome, unnecessary, or how it could be modified.

c. Identify regulations, guidance, and information collections that the Committee believes have led to the elimination of jobs or inhibits job creation within a particular industry.

3. All regulations, guidance, and information collections, or parts thereof, recommended by the Committee should be described in sufficient detail (by section, paragraph, sentence, clause, etc.) so that it can readily be identified. Data (quantitative or qualitative) should be provided to support and illustrate the impact, cost, or burden, as applicable, for each recommendation. If the data is not readily available, the Committee should include information as to how such information can be obtained either by the Committee or directly by the Coast Guard.

Public Participation

All meetings associated with this tasking, both full Committee meetings and subcommittee/working groups, are open to the public. A public oral comment period will be held during the August 3, 2017, teleconference. Public comments or questions will be taken at the discretion of the Designated Federal Officer; commenters are requested to limit their comments to 3 minutes. Please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section, to register as a commenter. Subcommittee meetings held in association with this tasking will be announced as they are scheduled through notices posted to *http://homeport.uscg.mil/nosac* and uploaded as supporting documents in the electronic docket for this action, [USCG–2017–0664], at *Regulations.gov.*

J.G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2017–14771 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Chapter I

46 CFR Chapters I and III

49 CFR Chapter IV

[Docket No. USCG–2017–0657]

Chemical Transportation Advisory Committee—Input To Support Regulatory Reform of Coast Guard Regulations—New Task

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Announcement of new task assignment for the Chemical Transportation Advisory Committee (CTAC); teleconference meeting.

SUMMARY: The U.S. Coast Guard is issuing a new task to the Chemical Transportation Advisory Committee (CTAC). The U.S. Coast Guard is asking CTAC to help the agency identify existing regulations, guidance, and collections of information (that fall within the scope of the Committee's charter) for possible repeal, replacement, or modification. This tasking is in response to the issuance of Executive Orders 13771, ''Reducing Regulation and Controlling Regulatory Costs; 13777, ''Enforcing the Regulatory Reform Agenda;'' and 13783, ''Promoting Energy Independence and Economic Growth.'' The full Committee is scheduled to meet by teleconference on August 2, 2017, to discuss this tasking. This teleconference will be open to the public. The U.S. Coast

Guard will consider CTAC recommendations as part of the process of identifying regulations, guidance, and collections of information to be repealed, replaced, or modified pursuant to the three Executive Orders discussed above.

DATES: The full Committee is scheduled to meet by teleconference on August 2, 2017, from 1 p.m. to 4 p.m. EDT. Please note that this teleconference may adjourn early if the Committee has completed its business.

ADDRESSES: To join the teleconference or to request special accommodations, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section no later than 1 p.m. on July 28, 2017. The number of teleconference lines is limited and will be available on a first-come, first-served basis.

Instructions: Submit comments on the task statement at any time, including orally at the teleconference, but if you want Committee members to review your comments before the teleconference, please submit your comments no later than July 28, 2017. You must include the words ''Department of Homeland Security'' and the docket number for this action. Written comments may also be submitted using the Federal e-Rulemaking Portal at *http://www.regulations.gov.* If you encounter technical difficulties with comment submission, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. Comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided. You may review *Regulations.gov's* Privacy and Security Notice at *https://www.regulations.gov/privacyNotice.*

Docket Search: For access to the docket or to read documents or comments related to this notice, go to *http://www.regulations.gov,* insert ''USCG–2017–0657'' in the Search box, press Enter, and then click on the item you wish to view.

FOR FURTHER INFORMATION CONTACT: Lieutenant Jake Lobb, Alternate Designated Federal Officer of the Chemical Transportation Advisory Committee, (202) 372–1428, or email *jake.r.lobb@uscg.mil.*

SUPPLEMENTARY INFORMATION:

New Task to the Committee

The U.S. Coast Guard is issuing a new task to CTAC to provide recommendations on whether existing regulations, guidance, and information collections (that fall within the scope of the Committee's charter) should be repealed, replaced, or modified. CTAC will then provide advice and recommendations on the assigned task and submit a final recommendation report to the U.S. Coast Guard.

Background

On January 30, 2017, President Trump issued Executive Order 13771, ''Reducing Regulation and Controlling Regulatory Costs.'' Under that Executive Order, for every one new regulation issued, at least two prior regulations must be identified for elimination, and the cost of planned regulations must be prudently managed and controlled through a budgeting process. On February 24, 2017, the President issued Executive Order 13777, ''Enforcing the Regulatory Reform Agenda.'' That Executive Order directs agencies to take specific steps to identify and alleviate unnecessary regulatory burdens placed on the American people. On March 28, 2017, the President issued Executive Order 13783, ''Promoting Energy Independence and Economic Growth.'' Executive Order 13783 promotes the clean and safe development of our Nation's vast energy resources, while at the same time avoiding agency actions that unnecessarily encumber energy production.

When implementing the regulatory offsets required by Executive Order 13771, each agency head is directed to prioritize, to the extent permitted by law, those regulations that the agency's Regulatory Reform Task Force identifies as outdated, unnecessary, or ineffective in accordance with Executive Order 13777. As part of this process to comply with all three Executive Orders, the U.S. Coast Guard is reaching out through multiple avenues to interested individuals to gather their input about what regulations, guidance, and information collections, they believe may need to be repealed, replaced, or modified. On June 8, 2017, the U.S. Coast Guard issued a general notice in the **Federal Register** requesting comments from interested individuals regarding their recommendations, 82 FR 26632. In addition to this general solicitation, the U.S. Coast Guard also wants to leverage the expertise of its Federal Advisory Committees and is issuing similar tasks to each of its Committees. A detailed discussion of each of the Executive orders and information on where U.S. Coast Guard regulations, guidance, and information collections are found is in the June 8th notice.

The Task

CTAC is tasked to:

Provide input to the U.S. Coast Guard on all existing regulations, guidance, and information collections that fall within the scope of the Committee's charter.

1. One or more subcommittees/working groups, as needed, will be established to work on this tasking in accordance with the Committee charter and bylaws. The subcommittee(s) shall terminate upon the approval and submission of a final recommendation to the U.S. Coast Guard from the parent Committee.

2. Review regulations, guidance, and information collections and provide recommendations whether an existing rule, guidance, or information collection should be repealed, replaced or modified. If the Committee recommends modification, please provide specific recommendations for how the regulation, guidance, or information collection should be modified. Recommendations should include an explanation on how and to what extent repeal, replacement or modification will reduce costs or burdens to industry and the extent to which risks to health or safety would likely increase.

a. Identify regulations, guidance, or information collections that potentially impose the following types of burden on the industry:

i. Regulations, guidance, or information collections imposing administrative burdens on the industry.

ii. Regulations, guidance, or information collections imposing burdens in the development or use of domestically produced energy resources. ''Burden,'' for the purposes of compliance with Executive Order 13783, means ''to unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources.''

b. Identify regulations, guidance, or information collections that potentially impose the following types of costs on the industry:

i. Regulations, guidance, or information collections imposing costs that are outdated (such as due to technological advancement), or are no longer necessary.

ii. Regulations, guidance, or information collections imposing costs which are no longer enforced as written or which are ineffective.

iii. Regulations, guidance, or information collections imposing costs tied to reporting or recordkeeping requirements that impose burdens that exceed benefits. Explain why the reporting or recordkeeping requirement is overly burdensome, unnecessary, or how it could be modified.

c. Identify regulations, guidance, and information collections that the Committee believes have led to the elimination of jobs or inhibits job creation within a particular industry.

3. All regulations, guidance, and information collections, or parts thereof, recommended by the Committee should be described in sufficient detail (by section, paragraph, sentence, clause, etc.) so that it can readily be identified. Data (quantitative or qualitative) should be provided to support and illustrate the impact, cost, or burden, as

applicable, for each recommendation. If the data is not readily available, the Committee should include information as to how such information can be obtained either by the Committee or directly by the Coast Guard.

Public Participation

All meetings associated with this tasking, both full Committee meetings and subcommittee/working groups, are open to the public. A public oral comment period will be held during the August 2, 2017, teleconference. Public comments or questions will be taken at the discretion of the Designated Federal Officer; commenters are requested to limit their comments to 3 minutes. Please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section, to register as a commenter. Subcommittee meetings held in association with this tasking will be announced as they are scheduled through notices posted to *http://homeport.uscg.mil/CTAC* and uploaded as supporting documents in the electronic docket for this action, [USCG–2017–0657], at *Regulations.gov.*

J.G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2017–14768 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2016–0620; FRL–9964–83–Region 8]

Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revisions to Ozone Offset Requirements in Davis and Salt Lake Counties

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of Utah on August 20, 2013, and on June 29, 2017. The submittals revise the portions of the Utah Administrative Code (UAC) that pertain to offset requirements in Davis and Salt Lake Counties for major sources. This action is being taken under section 110 of the Clean Air Act (CAA) (Act).

DATES: Written comments must be received on or before August 14, 2017.

ADDRESSES: Submit your comments, identified by EPA–R08–OAR–2016–0620 at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *www.regulations.gov.* The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Kevin Leone, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mailcode 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129, (303) 312–6227, *leone.kevin@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

What should I consider as I prepare my comments for the EPA?

a. *Submitting Confidential Business Information (CBI).* Do not submit CBI to EPA through *https://www.regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to the EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

b. *Tips for Preparing Your Comments.* When submitting comments, remember to:

i. Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).

ii. Follow directions—The agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns, and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

II. Background

On August 20, 2013, with supporting administrative documentation submitted on September 12, 2013, Utah sent the EPA revisions to their nonattainment permitting regulations, specifically to address EPA identified deficiencies in their nonattainment permitting regulations that affected the EPA's ability to approve Utah's PM_{10} maintenance plan and that may affect the EPA's ability to approve Utah's $PM_{2.5}$ SIP. These revisions addressed R307–403–1 (Purpose and Definitions), R307–403–2 (Applicability), R307–403–11 (Actual Plant-wide Applicability Limits (PALs)), and R307–420 (Ozone Offset Requirements in Davis and Salt Lake Counties). On June 2, 2016, the EPA entered into a consent decree with the Center for Biological Diversity, Center for Environmental Health, and Neighbors for Clean Air regarding a failure to act, pursuant to CAA sections 110(k)(2)–(4), on certain complete SIP submissions from states intended to address specific requirements related to the 2006 $PM_{2.5}$ NAAQS for certain nonattainment areas, including the submittal from the Governor of Utah dated August 20, 2013.

On February 3, 2017, the EPA published a final rulemaking (82 FR 9138) to conditionally approve the revisions in Utah's August 20, 2013 submittal, except for the revisions to R307–420. The submittal did not contain the appropriate supporting documentation required for the EPA to take action on R307–420. As a result, the EPA requested an extension for taking action on R307–420, and on December 20, 2016, the EPA was

granted an extension which moved the deadline for taking final action on R307–420 from January 3, 2017, to September 29, 2017 (See docket). Utah submitted on June 29, 2017 an additional SIP revision that addresses the lack of appropriate supporting documentation for R307–420.

III. Proposed Action

The EPA is proposing to approve Utah's revisions to R307–420 and R307–403–6, as submitted on August 20, 2013, and June 29, 2017. R307–420 maintains the offset provisions of the nonattainment area new source review (NNSR) permitting program in Salt Lake and Davis Counties after the area is re-designated to attainment for ozone. R307–420 also establishes more stringent offset requirements for nitrogen oxides that may be triggered as a contingency measure under Utah's ozone maintenance plan. R307–420 was also modified to include the definitions and applicability provisions of R307–403 (Permits: New and Modified Sources in Nonattainment Areas and Maintenance Areas) to ensure that the definitions and applicability provisions in R307–420 are consistent with related permitting rules in R307–403. Finally, the revisions to R307–403–6 reflect the move of the maintenance offset provisions from R307–403 to R307–420. The EPA is proposing to approve these revisions after determining that these revisions are in compliance with federal statutes and regulations.

The EPA first approved the offset provisions for maintenance of the ozone standards in Salt Lake and Davis Counties on May 5, 1995 (60 FR 22277), as part of an action on a Utah submittal updating the NNSR program. At that time, the offset provisions were in R307–1–3.3.3.C. R307–1–3.3.3.C applied an offset ratio of 1.15:1 for new major sources and major modifications in any ozone nonattainment area, but also in Salt Lake and Davis Counties after redesignation to attainment. See 60 FR 22280/3. The submittal, in R307–1–3.1.10, also applied alternative siting analysis requirements to apply to new major sources and major modifications in Salt Lake and Davis Counties after redesignation.

On July 17, 1997 (62 FR 38213), the EPA approved Utah's maintenance plan and redesignation request for Salt Lake and Davis Counties. As part of that action, we approved a revision to R307–1–3.3.3.C that added a contingency measure for Salt Lake and Davis Counties. 62 FR 38215/2. The contingency measure, if triggered, would increase the offset ratio to 1.2:1. 62 FR 28406/1 (May 23, 1997) (proposal).

Subsequently, Utah undertook a complete recodification of their air rules. The NNSR rules in R307–1–3, including the ozone maintenance provisions, were moved to R307–403. The offset and contingency measure provisions in R307–1–3.3.3.C were moved to R307–403–6, and the alternative siting analysis requirements were moved to R307–403–8. The EPA approved most of the recodification, including all of R307–403, on February 14, 2006 (71 FR 7679).

The alternative siting analysis requirements in R307–403–8 were subsequently moved to R307–401–19, approved by the EPA on February 6, 2014 (79 FR 7072), and then again to R307–403–10, approved by the EPA on February 3, 2017 (82 FR 9138) as part of the action discussed above. This portion of the SIP is up to date with all Utah rule revisions and submittals.

Separately, in 1999 Utah moved the ozone maintenance plan provisions for Salt Lake and Davis Counties (*i.e.* the ozone offset maintenance provisions and contingency measure provisions) from R307–403–6 to a new section of the UAC, R307–420. As part of this change, Utah added the relevant definitions from the NNSR program to the maintenance plan provisions. By separating the maintenance provisions from the NNSR program, this change improved the clarity of the maintenance provisions, particularly with regard to applicability in Salt Lake and Davis Counties. Correspondingly, Utah removed the maintenance plan language from R307–403–6. However, Utah did not submit these changes as a SIP revision.

Then, on August 20, 2013, Utah submitted revisions to the definitions in the NNSR program that addressed certain deficiencies. Utah also submitted revisions to the corresponding definitions in R307–420. As the EPA had not received the 1999 rulemaking that created R307–420 as a SIP submittal, we were unable to take action on the revisions to R307–420.

Utah's June 29, 2017 submittal addresses this issue by submitting the 1999 rule revisions that created R307–420 and modified R307–403–6. As these rule revisions preserve the ozone maintenance plan requirements for offsets and contingency measures in Salt Lake and Davis Counties while improving the clarity of those requirements, we propose to approve the revisions.

We also propose to approve the subsequent revisions to R307–420, submitted on August 20, 2013, that Utah promulgated to ensure that the definitions and applicability provisions in R307–420 are consistent with related permitting rules in R307–403. For the reasons explained in our February 3, 2017 notice, the definitions and applicability provisions in R307–403 are consistent with requirements for NNSR programs found in 40 CFR 51.165. While R307–420 is part of the ozone maintenance plan for Salt Lake and Davis Counties and not part of the NNSR program, and therefore not directly subject to the requirements in 40 CFR 51.165, we view the corresponding revisions to the definitions and applicability provisions as strengthening the maintenance plan.

IV. Incorporation by Reference

In this rule, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the UDAQ rules promulgated in the DAR, R307–400 Series as discussed in section III of this preamble. The EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and/or at the EPA Region 8 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely proposes to approve state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

• does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4);

• does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

• is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

• is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

• is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

• does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

The SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the proposed rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Intergovernmental relations, Incorporation by reference, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: June 30, 2017.

Debra H. Thomas,

Acting Regional Administrator, Region 8.

[FR Doc. 2017–14732 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 261

[EPA–R06–RCRA–2017–0254; FRL–9964–71–Region 6]

Hazardous Waste Management System; Identification and Listing of Hazardous Waste

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to grant a petition submitted by Samsung Austin Semiconductor (Samsung) to exclude (or delist) the sludge generated from the electroplating process from the lists of hazardous wastes. EPA used the Delisting Risk Assessment Software (DRAS) Version 3.0.47 in the evaluation of the impact of the petitioned waste on human health and the environment.

DATES: We will accept comments until August 14, 2017. We will stamp comments received after the close of the comment period as late. These late comments may or may not be considered in formulating a final decision. Your requests for a hearing must reach EPA by July 31, 2017. The request must contain the information prescribed in 40 CFR 260.20(d) (hereinafter all CFR cites refer to 40 CFR unless otherwise stated).

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R06–RCRA–2017–0254, at *http://www.regulations.gov*. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: For technical information regarding the Samsung Austin Semiconductor petition, contact Michelle Peace at 214–665–7430 or by email at *peace.michelle@epa.gov.*

Your requests for a hearing must reach EPA by July 31, 2017. The request must contain the information described in § 260.20(d).

SUPPLEMENTARY INFORMATION: Samsung submitted a petition under 40 CFR 260.20 and 260.22(a). Section 260.20 allows any person to petition the Administrator to modify or revoke any provision of parts 260 through 266, 268 and 273. Section 260.22(a) specifically provides generators the opportunity to petition the Administrator to exclude a waste on a ''generator specific'' basis from the hazardous waste lists.

EPA bases its proposed decision to grant the petition on an evaluation of waste-specific information provided by the petitioner. This decision, if finalized, would conditionally exclude the petitioned waste from the requirements of hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA).

If finalized, EPA would conclude that Samsung's petitioned waste is non-hazardous with respect to the original listing criteria. EPA would also conclude that Samsung's process minimizes short-term and long-term threats from the petitioned waste to human health and the environment.

Table of Contents

The information in this section is organized as follows:

I. Overview Information

A. What action is EPA proposing?

EPA is proposing to approve the delisting petition submitted by Samsung to have the Copper filter cake excluded, or delisted from the definition of a hazardous waste. The Copper filter cake is listed as F006, wastewater treatment sludges from electroplating operations. The basis of the listing is cadmium, hexavalent chromium, nickel, and cyanide (complexed).

B. Why is EPA proposing to approve this delisting?

Samsung's petition requests an exclusion from the F006 waste listing pursuant to 40 CFR 260.20 and 260.22. Samsung does not believe that the petitioned waste meets the criteria for which EPA listed it. Samsung also believes no additional constituents or factors could cause the waste to be hazardous. EPA's review of this petition included consideration of the original listing criteria and the additional factors required by the Hazardous and Solid Waste Amendments of 1984 (HSWA). See section 3001(f) of RCRA, 42 U.S.C. 6921(f), and 40 CFR 260.22 (d)(1)–(4)(hereinafter all sectional references are to 40 CFR unless otherwise indicated). In making the initial delisting determination, EPA evaluated the petitioned waste against the listing criteria and factors cited in §§ 261.11(a)(2) and (a)(3). Based on this review, EPA agrees with the petitioner that the waste is non-hazardous with respect to the original listing criteria. If EPA had found, based on this review, that the waste remained hazardous based on the factors for which the waste was originally listed, EPA would have proposed to deny the petition. EPA evaluated the waste with respect to other factors or criteria to assess whether there is a reasonable basis to believe that such additional factors could cause the waste to be hazardous. EPA considered whether the waste is acutely toxic, the concentration of the constituents in the waste, their tendency to migrate and to bioaccumulate, their persistence in the environment once released from the waste, plausible and specific types of management of the petitioned waste, the quantities of waste generated, and waste variability. EPA believes that the petitioned waste does not meet the listing criteria and thus should not be a listed waste. EPA's proposed decision to delist waste from Samsung is based on the information submitted in support of this rule, including descriptions of the wastes and analytical data from the Austin, Texas facility.

C. How will Samsung manage the waste if it is delisted?

If the copper filter cake is delisted, contingent upon approval of the delisting petition, storage containers with copper filter cake will be transported to an authorized, solid waste landfill (*e.g.,* RCRA Subtitle D landfill, commercial/industrial solid waste landfill, etc.) for disposal. Any plans for recycling must be addressed through the Hazardous Waste Recycling regulations.

D. When would the proposed delisting exclusion be finalized?

RCRA section 3001(f) specifically requires EPA to provide a notice and an opportunity for comment before granting or denying a final exclusion. Thus, EPA will not grant the exclusion until it addresses all timely public comments (including those at public hearings, if any) on this proposal.

RCRA section 3010(b)(1) at 42 USCA 6930(b)(1), allows rules to become effective in less than six months when the regulated facility does not need the six-month period to come into compliance. That is the case here, because this rule, if finalized, would reduce the existing requirements for persons generating hazardous wastes.

EPA believes that this exclusion should be effective immediately upon final publication because a six-month deadline is not necessary to achieve the purpose of section 3010(b), and a later effective date would impose unnecessary hardship and expense on this petitioner. These reasons also provide good cause for making this rule effective immediately, upon final publication, under the Administrative Procedure Act, 5 U.S.C. 553(d).

E. How would this action affect the states?

Because EPA is issuing this exclusion under the Federal RCRA delisting program, only states subject to Federal RCRA delisting provisions would be affected. This would exclude states which have received authorization from EPA to make their own delisting decisions.

EPA allows states to impose their own non-RCRA regulatory requirements that are more stringent than EPA's, under section 3009 of RCRA, 42 U.S.C. 6929. These more stringent requirements may include a provision that prohibits a Federally issued exclusion from taking effect in the state. Because a dual system (that is, both Federal (RCRA) and state (non-RCRA) programs) may regulate a petitioner's waste, EPA urges petitioners to contact the state regulatory authority to establish the status of their wastes under the state law.

EPA has also authorized some states (for example, Louisiana, Oklahoma, Georgia, Illinois) to administer a RCRA delisting program in place of the Federal program, that is, to make state delisting decisions. Therefore, this exclusion does not apply in those authorized states unless that state makes the rule part of its authorized program. If Samsung transports the petitioned waste to or manages the waste in any state with delisting authorization, Samsung must obtain delisting authorization from that state before it can manage the waste as non-hazardous in the state.

II. Background

A. What is the history of the delisting program?

EPA published an amended list of hazardous wastes from non-specific and specific sources on January 16, 1981, as part of its final and interim final regulations implementing section 3001 of RCRA. EPA has amended this list several times and published it in 40 CFR 261.31 and 261.32.

EPA lists these wastes as hazardous because: (1) The wastes typically and frequently exhibit one or more of the characteristics of hazardous wastes identified in Subpart C of part 261 (that is, ignitability, corrosivity, reactivity, and toxicity), (2) the wastes meet the criteria for listing contained in § 261.11(a)(2) or (a)(3), or (b) the wastes are mixed with or derived from the treatment, storage or disposal of such characteristic and listed wastes and which therefore become hazardous under § 261.3(a)(2)(iv) or (c)(2)(i), known as the ''mixture'' or ''derived-from'' rules, respectively.

Individual waste streams may vary, however, depending on raw materials, industrial processes, and other factors. Thus, while a waste described in these regulations or resulting from the operation of the mixture or derived-from rules generally is hazardous, a specific

waste from an individual facility may not be hazardous.

For this reason, 40 CFR 260.20 and 260.22 provide an exclusion procedure, called delisting, which allows persons to prove that EPA should not regulate a specific waste from a particular generating facility as a hazardous waste.

B. What is a delisting petition, and what does it require of a petitioner?

A delisting petition is a request from a facility to EPA or an authorized state to exclude wastes from the list of hazardous wastes. The facility petitions EPA because it does not consider the wastes hazardous under RCRA regulations.

In a delisting petition, the petitioner must show that wastes generated at a particular facility do not meet any of the criteria for which the waste was listed. The criteria for which EPA lists a waste are in part 261 and further explained in the background documents for the listed waste.

In addition, under 40 CFR 260.22, a petitioner must prove that the waste does not exhibit any of the hazardous waste characteristics (that is, ignitability, reactivity, corrosivity, and toxicity) and present sufficient information for EPA to decide whether factors other than those for which the waste was listed warrant retaining it as a hazardous waste. (See part 261 and the background documents for the listed waste.)

Generators remain obligated under RCRA to confirm whether their waste remains non-hazardous based on the hazardous waste characteristics even if EPA has ''delisted'' the waste.

C. What factors must EPA consider in deciding whether to grant a delisting petition?

Besides considering the criteria in 40 CFR 260.22(a) and § 3001(f) of RCRA, 42 U.S.C. 6921(f), and in the background documents for the listed wastes, EPA must consider any factors (including additional constituents) other than those for which EPA listed the waste, if a reasonable basis exists that these additional factors could cause the waste to be hazardous.

EPA must also consider as hazardous waste mixtures containing listed hazardous wastes and wastes derived from treating, storing, or disposing of listed hazardous waste. See § 261.3(a)(2)(iii and iv) and (c)(2)(i), called the ''mixture'' and ''derived-from'' rules, respectively. These wastes are also eligible for exclusion and remain hazardous wastes until excluded. See 66 FR 27266 (May 16, 2001).

III. EPA's Evaluation of the Waste Information and Data

A. What waste did Samsung petition EPA to delist?

In November 2015, Samsung petitioned EPA to exclude from the lists of hazardous wastes contained in §§ 261.31 and 261.32, filter cake (F006) generated from its facility located in Austin, Texas. The waste falls under the classification of listed waste pursuant to §§ 261.31 and 261.32. Specifically, in its petition, Samsung requested that EPA grant a conditional exclusion for 750 cubic yards of F006 filter cake.

B. Who is Samsung and what process does it use to generate the petitioned waste?

Samsung Austin Semiconductor (SAS) operates a semiconductor manufacturing facility located at 12100 Samsung Blvd. in Austin, Texas. SAS manufactures semiconductors used in logic chips for various applications, including cellular phones and tablet PCs. The SAS facility consists of two wafer manufacturing operations. The Main Fab, Mod 1 area was constructed in June 2007 as a 300 mm NANO Flash Fab. The Fab that was constructed in 1998 was decommissioned and subsequently upgraded to convert it from a trailing-edge DRAM Fab to a copper back end of the line (BEOL) Fab for the support of the adjacent Main Fab operations (CuFab). The integrated SAS operations are capable of manufacturing 3X NANO technology and copper interconnects. In addition, the Main Fab, Mod 2 area was constructed in May 2011 to manufacture 45X Nanotechnology for logic chips for various applications.

Since 2007, SAS's manufacturing process has used copper during wafer fabrication to enhance electron migration and reduce the width of the circuitry of the microprocessors. The copper application is performed in a copper metallization process, in which copper is applied to the wafer in an electroplating operation. Electric current is applied to copper anodes in an acidic bath to deposit a microscopic layer of copper on selected portions of the wafer. Following the electroplating operation, wafers go through a second bath prior to entering the etching step. The etching step is performed to clean the edges of the wafer. Silica slurry is then used to flatten the surface of the wafer. Wastewater from these processes is treated in the copper wastewater (CuWW) treatment system that is part of the plant's industrial wastewater treatment (IWT) system. Sludge generated in the CuWW treatment system is collected in a tank that feeds a plate and frame filter press. The sludge that is processed in the filter press generates a filter cake which falls from the filter press into a roll-off for storage onsite in a less than 90-day waste storage unit. The filter cake is transported off-site to a hazardous waste landfill for disposal.

C. How did Samsung sample and analyze the data in this petition?

To support its petition, Samsung submitted: Historical information on waste generation and management practices; and analytical results from eight samples for total and TCLP concentrations of compounds of concern (COC)s.

D. What were the results of Samsung's analysis?

EPA believes that the descriptions of the Samsung analytical characterization provide a reasonable basis to grant Samsung's petition for an exclusion of the filter cake sludge. EPA believes the data submitted in support of the petition show the filter cake is non-hazardous. Analytical data for the filter cake samples were used in the DRAS to develop delisting levels. The data summaries for COCs are presented in Table I. EPA has reviewed the sampling procedures used by Samsung and has determined that it satisfies EPA criteria for collecting representative samples of the variations in constituent concentrations in the filter cake. In addition, the data submitted in support of the petition show that constituents in Samsung's waste are presently below health-based levels used in the delisting decision-making. EPA believes that Samsung has successfully demonstrated that the copper filter cake is non-hazardous.

TABLE 1—ANALYTICAL RESULTS/MAXIMUM ALLOWABLE DELISTING CONCENTRATION

[Copper Filter Cake, Samsung Austin Semiconductor, Austin, Texas]

Constituent	Maximum total concentration (mg/kg)	Maximum TCLP concentration (mg/L)	Maximum TCLP delisting level (mg/L)
Acetone	0.0013	0.24	2070.0
Arsenic	3.6	0.098	1.66
Barium	5.30	0.13	100.0
Cadmium	0.75	0.004	0.362
Carbon disulfide	2.7	0.043	224.75
Chromium	42	0.12	5.0
Chromium(VI) (+6)	1.7	0.072	5.0
Cobalt	1.6	0.035	1.36
Copper	14600	5.4	97.1
Lead	6.3	0.11	2.45
Nickel	25.7	0.078	53.8
Selenium	1.4	0.072	1.0
Silver	0.95	0.0012	5.0
Thallium	1.7	ND	0.1458
Tin	7.6	ND	22.5
Toluene	2.5	ND	60.1
Vanadium	25.8	0.014	14.36
Zinc	43.0	0.21	797

Notes: These levels represent the highest constituent concentration found in any one sample and does not necessarily represent the specific level found in one sample.

E. How did EPA evaluate the risk of delisting the waste?

For this delisting determination, EPA used such information gathered to identify plausible exposure routes (*i.e.* groundwater, surface water, air) for hazardous constituents present in the petitioned waste. EPA determined that disposal in a surface impoundment is the most reasonable, worst-case disposal scenario for Samsung's petitioned waste. EPA applied the Delisting Risk Assessment Software (DRAS) described in 65 FR 58015 (September 27, 2000) and 65 FR 75637 (December 4, 2000), to predict the maximum allowable concentrations of hazardous constituents that may be released from the petitioned waste after disposal and determined the potential impact of the disposal of Samsung's petitioned waste on human health and the environment. A copy of this software can be found on the world wide web at *http://www.epa.gov/reg5rcra/wptdiv/hazardous/delisting/dras-software.html*. In assessing potential risks to groundwater, EPA used the maximum waste volumes and the maximum reported extract concentrations as inputs to the DRAS program to estimate the constituent concentrations in the groundwater at a hypothetical receptor well down gradient from the disposal site. Using the risk level (carcinogenic risk of 10^{-5} and non-cancer hazard index of 1.0), the DRAS program can back-calculate the acceptable receptor well concentrations (referred to as compliance-point concentrations) using standard risk assessment algorithms and EPA health-based numbers. Using the maximum compliance-point concentrations and EPA's Composite Model for Underflow water Migration with Transformation Products (EPACMTP) fate and transport modeling factors, the DRAS further back-calculates the maximum permissible waste constituent concentrations not expected to exceed the compliance-point concentrations in groundwater.

EPA believes that the EPACMTP fate and transport model represents a reasonable worst-case scenario for possible groundwater contamination resulting from disposal of the petitioned waste in a surface impoundment, and that a reasonable worst-case scenario is appropriate when evaluating whether a waste should be relieved of the protective management constraints of RCRA Subtitle C. The use of some reasonable worst-case scenarios resulted in conservative values for the compliance-point concentrations and ensures that the waste, once removed from hazardous waste regulation, will not pose a significant threat to human health or the environment.

The DRAS also uses the maximum estimated waste volumes and the maximum reported total concentrations to predict possible risks associated with releases of waste constituents through surface pathways (*e.g.* volatilization from the impoundment). As in the above groundwater analyses, the DRAS uses the risk level, the health-based data and standard risk assessment and exposure algorithms to predict maximum compliance-point concentrations of waste constituents at a hypothetical point of exposure. Using fate and transport equations, the DRAS uses the maximum compliance-point concentrations and back-calculates the maximum allowable waste constituent concentrations (or ''delisting levels'').

In most cases, because a delisted waste is no longer subject to hazardous waste control, EPA is generally unable to predict, and does not presently control, how a petitioner will manage a waste after delisting. Therefore, EPA currently believes that it is inappropriate to consider extensive site-specific factors when applying the fate and transport model. EPA does control the type of unit where the waste is disposed. The waste must be disposed in the type of unit the fate and transport model evaluates.

The DRAS results which calculate the maximum allowable concentration of chemical constituents in the waste are presented in Table I. Based on the comparison of the DRAS and TCLP Analyses results found in Table I, the petitioned waste should be delisted because no constituents of concern tested are likely to be present or formed as reaction products or by-products in Samsung waste.

F. What did EPA conclude about Samsung's waste analysis?

EPA concluded, after reviewing Samsung's processes that no other hazardous constituents of concern, other than those for which tested, are likely to be present or formed as reaction

products or by-products in the waste. In addition, on the basis of explanations and analytical data provided by Samsung, pursuant to § 260.22, EPA concludes that the petitioned waste does not exhibit any of the characteristics of ignitability, corrosivity, reactivity or toxicity. See §§ 261.21, 261.22 and 261.23, respectively.

G. What other factors did EPA consider in its evaluation?

During the evaluation of Samsung's petition, EPA also considered the potential impact of the petitioned waste via non-groundwater routes (*i.e.,* air emission and surface runoff). With regard to airborne dispersion in particular, EPA believes that exposure to airborne contaminants from Samsung's petitioned waste is unlikely. Therefore, no appreciable air releases are likely from Samsung's waste under any likely disposal conditions. EPA evaluated the potential hazards resulting from the unlikely scenario of airborne exposure to hazardous constituents released from Samsung's waste in an open landfill. The results of this worst-case analysis indicated that there is no substantial present or potential hazard to human health and the environment from airborne exposure to constituents from Samsung's Copper Filter cake.

H. What is EPA's evaluation of this delisting petition?

The descriptions of Samsung's hazardous waste process and analytical characterization provide a reasonable basis for EPA to grant the exclusion. The data submitted in support of the petition show that constituents in the waste are below the leachable concentrations (see Table I). EPA believes that Samsung's Filter cake sludge will not impose any threat to human health and the environment.

Thus, EPA believes Samsung should be granted an exclusion for the Filter cake sludge. EPA believes the data submitted in support of the petition show Samsung's Filter cake sludge is non-hazardous. The data submitted in support of the petition show that constituents in Samsung's waste is presently below the compliance point concentrations used in the delisting decision and would not pose a substantial hazard to the environment. EPA believes that Samsung has successfully demonstrated that the Filter cake sludge is non-hazardous.

EPA therefore, proposes to grant an exclusion to Samsung in Austin, Texas, for the copper filter cake described in its petition. EPA's decision to exclude this waste is based on descriptions of the treatment activities associated with the petitioned waste and characterization of the copper filter cake.

If EPA finalizes the proposed rule, EPA will no longer regulate the petitioned waste under parts 262 through 268 and the permitting standards of part 270.

IV. Next Steps

A. With what conditions must the petitioner comply?

The petitioner, Samsung, must comply with the requirements in 40 CFR part 261, Appendix IX, Table 1. The text below gives the rationale and details of those requirements.

(1) Delisting Levels

This paragraph provides the levels of constituents for which Samsung must test the Copper filter cake, below which these wastes would be considered non-hazardous. EPA selected the set of inorganic and organic constituents specified in paragraph (1) of 40 CFR part 261, appendix IX, table 1, (the exclusion language) based on information in the petition. EPA compiled the inorganic and organic constituents list from the composition of the waste, descriptions of Samsung's treatment process, previous test data provided for the waste, and the respective health-based levels used in delisting decision-making. These delisting levels correspond to the allowable levels measured in the TCLP concentrations.

(2) Waste Holding and Handling

The purpose of this paragraph is to ensure that Samsung manages and disposes of any Copper Filter cake that contains hazardous levels of inorganic and organic constituents according to Subtitle C of RCRA. Managing the copper filter cake as a hazardous waste until the verification testing is performed will protect against improper handling of hazardous material. If EPA determines that the data collected under this paragraph do not support the data provided for in the petition, the exclusion will not cover the petitioned waste. The exclusion is effective upon publication in the **Federal Register** but the disposal as non-hazardous cannot begin until the verification sampling is completed.

(3) Verification Testing Requirements

Samsung must complete a rigorous verification testing program on the filter cake to assure that the solids do not exceed the maximum levels specified in paragraph (1) of the exclusion language. This verification program will occur as wastes are removed from the roll off box and scheduled for disposal. The volume of wastes removed from the roll off boxes may not exceed 750 cubic yards of sludge material annually. Any copper filter cake waste in excess of 750 cubic yards must be disposed as hazardous wastes. If EPA determines that the data collected under this paragraph do not support the data provided for the petition, the exclusion will not cover the generated wastes. If the data from the verification testing program demonstrate that the Filter cake meet the delisting levels, Samsung may commence disposing of the copper filter cake. EPA will notify Samsung in writing, if and when it begins and ends disposal of the copper filter cake.

(4) Data Submittals

To provide appropriate documentation that Samsung's Copper filter cake meet the delisting levels, Samsung must compile, summarize, and keep delisting records on-site for a minimum of five years. It should keep all analytical data obtained through paragraph (3) of the exclusion language including quality control information for five years. Paragraph (4) of the exclusion language requires that Samsung furnish these data upon request for inspection by any employee or representative of EPA or the State of Texas.

If the proposed exclusion is made final, it will apply only to 750 cubic yards of Copper Filter cake generated at the Samsung Austin Refinery after successful verification testing. EPA would require Samsung to file a new delisting petition for waste generated in excess of the 750 cubic yards and treat the solids as hazardous waste.

Samsung must manage waste volumes greater than as generated wet 750 cubic yards of the Copper Filter cake as hazardous until EPA grants a new exclusion.

When this exclusion becomes final, Samsung's management of the wastes covered by this petition would be relieved from Subtitle C jurisdiction, the Copper Filter cake from Samsung will be disposed of in an authorized, solid waste landfill (*e.g.* RCRA Subtitle D landfill, commercial/industrial solid waste landfill, etc.).

(5) Reopener

The purpose of paragraph (6) of the exclusion language is to require Samsung to disclose new or different information related to a condition at the facility or disposal of the waste, if it is pertinent to the delisting. Samsung must also use this procedure, if the waste sample in the annual testing fails to meet the levels found in paragraph (1).

This provision will allow EPA to reevaluate the exclusion, if a source provides new or additional information to EPA. EPA will evaluate the information on which EPA based the decision to see if it is still correct, or if circumstances have changed so that the information is no longer correct or would cause EPA to deny the petition, if presented. This provision expressly requires Samsung to report differing site conditions or assumptions used in the petition, in addition to failure to meet the annual testing conditions within 10 days of discovery. If EPA discovers such information itself or from a third party, it can act on it as appropriate. The language being proposed is similar to those provisions found in RCRA regulations governing no-migration petitions at § 268.6.

EPA believes that it has the authority under RCRA and the Administrative Procedures Act (APA), 5 U.S.C. 551 (1978) *et seq.,* to reopen a delisting decision. EPA may reopen a delisting decision when it receives new information that calls into question the assumptions underlying the delisting.

EPA believes a clear statement of its authority in delistings is merited, in light of EPA's experience. See Reynolds Metals Company at 62 FR 37694 and 62 FR 63458 where the delisted waste leached at greater concentrations in the environment than the concentrations predicted when conducting the TCLP, thus leading EPA to repeal the delisting. If an immediate threat to human health and the environment presents itself, EPA will continue to address these situations on a case-by-case basis. Where necessary, EPA will make a good cause finding to justify emergency rulemaking. *See* APA § 553 (b).

(6) Notification Requirements

In order to adequately track wastes that have been delisted, EPA is requiring that Samsung provide a one-time notification to any state regulatory agency through which or to which the delisted waste is being carried. Samsung must provide this notification sixty (60) days before commencing this activity.

B. What happens if Samsung violates the terms and conditions?

If Samsung violates the terms and conditions established in the exclusion, EPA will start procedures to withdraw the exclusion. Where there is an immediate threat to human health and the environment, EPA will evaluate the need for enforcement activities on a case-by-case basis. EPA expects Samsung to conduct the appropriate waste analysis and comply with the criteria explained above in paragraph (1) of the exclusion.

V. Public Comments

A. How can I as an interested party submit comments?

EPA is requesting public comments on this proposed decision. Please send three copies of your comments. Send two copies to Kishor Fruitwala, Section Chief (6MM–RP), Multimedia Division, Environmental Protection Agency (EPA), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202. Identify your comments at the top with this regulatory docket number: ''EPA–R6–RCRA–2017–0254, Samsung Austin Semiconductor Copper Filter Cake Delisting.'' You may submit your comments electronically to Michelle Peace at *peace.michelle@epa.gov.*

You should submit requests for a hearing to Kishor Fruitwala, Section Chief (6MM–RP), Multimedia Division, Environmental Protection Agency (EPA), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202.

B. How may I review the docket or obtain copies of the proposed exclusions?

You may review the RCRA regulatory docket for this proposed rule at the Environmental Protection Agency Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202. It is available for viewing in EPA Freedom of Information Act Review Room from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding Federal holidays. Call (214) 665–6444 for appointments. The public may copy material from any regulatory docket at no cost for the first 100 pages, and at fifteen cents per page for additional copies. Docket materials may be available either electronically in *http://www.regulations.gov* and you may also request the electronic files of the docket which do not appear on regulations.gov.

VI. Statutory and Executive Order Reviews

Under Executive Order 12866, ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993), this rule is not of general applicability and therefore, is not a regulatory action subject to review by the Office of Management and Budget (OMB). This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) because it applies to a particular facility only. Because this rule is of particular applicability relating to a particular facility, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202, 204, and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4). Because this rule will affect only a particular facility, it will not significantly or uniquely affect small governments, as specified in section 203 of UMRA. Because this rule will affect only a particular facility, this proposed rule does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, ''Federalism'', (64 FR 43255, August 10, 1999). Thus, Executive Order 13132 does not apply to this rule.

Similarly, because this rule will affect only a particular facility, this proposed rule does not have tribal implications, as specified in Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000). Thus, Executive Order 13175 does not apply to this rule. This rule also is not subject to Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant as defined in Executive Order 12866, and because the Agency does not have reason to believe the environmental health or safety risks addressed by this action present a disproportionate risk to children. The basis for this belief is that the Agency used DRAS, which considers health and safety risks to children, to calculate the maximum allowable concentrations for this rule. This rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355 (May 22, 2001)), because it is not a significant regulatory action under Executive Order 12866. This rule does not involve technical standards; thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988, ''Civil Justice Reform'', (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct.

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement

Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report which includes a copy of the rule to each House of the Congress and to the Comptroller General of the United States. Section 804 exempts from section 801 the following types of rules: (1) Rules of particular applicability; (2) rules relating to agency management or personnel; and (3) rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties (5 U.S.C. 804(3)). EPA is not required to submit a rule report regarding today's action under section 801 because this is a rule of particular applicability. Executive Order (EO) 12898 (59 FR 7629 (Feb. 16, 1994)) establishes Federal executive policy on environmental justice. Its main provision directs Federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

EPA has determined that this proposed rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because it does not affect the level of protection provided to human health or the environment. The Agency's risk assessment did not identify risks from management of this material in an authorized, solid waste landfill (*e.g.* RCRA Subtitle D landfill, commercial/industrial solid waste landfill, etc.). Therefore, EPA believes that any populations in proximity of the landfills used by this facility should not be adversely affected by common waste management practices for this delisted waste.

Lists of Subjects in 40 CFR Part 261

Environmental protection, Hazardous waste, Recycling, Reporting and recordkeeping requirements.

Authority: Sec. 3001(f) RCRA, 42 U.S.C. 6921(f).

Dated: June 15, 2017.

Wren Stenger,

Director, Multimedia Division, Region 6.

For the reasons set out in the preamble, 40 CFR part 261 is proposed to be amended as follows:

PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

■ 1. The authority citation for part 261 continues to read as follows:

Authority: 42 U.S.C. 6905, 6912(a), 6921, 6922, 6924(y) and 6938.

■ 2. In table 1 of appendix IX to part 261 add the entry ''Samsung'' in alphabetical order to read as follows:

Appendix IX to Part 261—Wastes Excluded Under §§ 260.20 and 260.22

TABLE 1—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES

Facility	Address	Waste description
*	*	* * * * * * *
Samsung	Austin, TX	Copper Filter Cake (EPA Hazardous Waste Numbers F006) generated at a maximum rate of as 750 cubic yards annually. For the exclusion to be valid, Samsung must implement a verification testing program for each of the waste streams that meets the following Paragraphs: (1) Delisting Levels: All concentrations for those constituents must not exceed the maximum allowable concentrations in mg/l specified in this paragraph. Copper Filter Cake. Leachable Concentrations (mg/l): Acetone—2070.0; Arsenic—1.66; Barium—100.0; Cadmium—0.362; Carbon Disulfide—224.75; Chromium—5.0; Chromium (VI)—5.0; Cobalt—1.36; Copper—97.1; Lead—2.45; Nickel—53.8; Selenium—1.0; Silver—5.0; Thallium—0.01458; Tin—22.5; Toluene—60.1; Vanadium—14.36; Zinc—797. (2) Waste Holding and Handling: (A) Waste classification as non-hazardous cannot begin until compliance with the limits set in paragraph (1) for the Copper Filter cake is verified. (B) If constituent levels in any sample and retest sample taken by Samsung exceed any of the delisting levels set in paragraph (1) for the Copper Filter cake, Samsung must do the following: (i) Notify EPA in accordance with paragraph (5) and (ii) manage and dispose the Copper Filter cake as hazardous waste generated under Subtitle C of RCRA. (3) Testing Requirements: Samsung must perform analytical testing by sampling and analyzing the Copper Filter cake as follows: (i) Collect a representative sample of the Copper Filter cake for analysis of all constituents listed in paragraph (1) prior to disposal. (ii) The samples for the annual testing shall be a representative sample according to appropriate methods. As applicable to the method-defined parameters of concern, analyses requiring the use of SW–846 methods incorporated by reference in 40 CFR 260.11 must be used without substitution. As applicable, the SW–846 methods might include Methods 0010, 0011, 0020, 0023A, 0030, 0031, 0040, 0050, 0051, 0060, 0061, 1010A, 1020B, 1110A, 1310B, 1311, 1312, 1320, 1330A, 9010C, 9012B, 9040C, 9045D, 9060A, 9070A (uses EPA Method 1664, Rev. A), 9071B, and 9095B. Methods must meet Performance Based Measurement System Criteria in which the Data Quality Objectives are to demonstrate that samples of the Samsung Copper filter cake is representative for all constituents listed in paragraph (1). (4) Data Submittals:

TABLE 1—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES—Continued

Facility	Address	Waste description
		Samsung must submit the information described below. If Samsung fails to submit the required data within the specified time or maintain the required records on-site for the specified time, EPA, at its discretion, will consider this sufficient basis to reopen the exclusion as described in paragraph (6). Samsung must: (A) Submit the data obtained through paragraph 3 to the Section Chief, 6MM–RP, Multimedia Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Suite 1200, Dallas, Texas 75202, within the time specified. All supporting data can be submitted on CD–ROM or comparable electronic media. (B) Compile records of analytical data from paragraph (3), summarized, and maintained on-site for a minimum of five years. (C) Furnish these records and data when either EPA or the State of Texas requests them for inspection. (D) Send along with all data a signed copy of the following certification statement, to attest to the truth and accuracy of the data submitted: ''Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of the Federal Code, which include, but may not be limited to, 18 U.S.C. 1001 and 42 U.S.C. 6928), I certify that the information contained in or accompanying this document is true, accurate and complete. As to the (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete. If any of this information is determined by EPA in its sole discretion to be false, inaccurate or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by EPA and that the company will be liable for any actions taken in contravention of the company's RCRA and CERCLA obligations premised upon the company's reliance on the void exclusion.'' (5) Reopener: (A) If, anytime after disposal of the delisted waste Samsung possesses or is otherwise made aware of any environmental data (including but not limited to underflow water data or ground water monitoring data) or any other data relevant to the delisted waste indicating that any constituent identified for the delisting verification testing is at level higher than the delisting level allowed by the Division Director in granting the petition, then the facility must report the data, in writing, to the Division Director within 10 days of first possessing or being made aware of that data. (B) If either the verification testing (and retest, if applicable) of the waste does not meet the delisting requirements in paragraph 1, Samsung must report the data, in writing, to the Division Director within 10 days of first possessing or being made aware of that data. (C) If Samsung fails to submit the information described in paragraphs (5),(6)(A) or (6)(B) or if any other information is received from any source, the Division Director will make a preliminary determination as to whether the reported information requires EPA action to protect human health and/or the environment. Further action may include suspending, or revoking the exclusion, or other appropriate response necessary to protect human health and the environment. (D) If the Division Director determines that the reported information requires action by EPA, the Division Director will notify the facility in writing of the actions the Division Director believes are necessary to protect human health and the environment. The notice shall include a statement of the proposed action and a statement providing the facility with an opportunity to present information as to why the proposed EPA action is not necessary. The facility shall have 10 days from receipt of the Division Director's notice to present such information. (E) Following the receipt of information from the facility described in paragraph (6)(D) or (if no information is presented under paragraph (6)(D)) the initial receipt of information described in paragraphs (5), (6)(A) or (6)(B), the Division Director will issue a final written determination describing EPA actions that are necessary to protect human health and/or the environment. Any required action described in the Division Director's determination shall become effective immediately, unless the Division Director provides otherwise. (6) Notification Requirements: Samsung must do the following before transporting the delisted waste. Failure to provide this notification will result in a violation of the delisting petition and a possible revocation of the decision. (A) Provide a one-time written notification to any state Regulatory Agency to which or through which it will transport the delisted waste described above for disposal, 60 days before beginning such activities. (B) For onsite disposal, a notice should be submitted to the State to notify the State that disposal of the delisted materials has begun.

TABLE 1—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES—Continued

Facility	Address	Waste description
		(C) Update one-time written notification, if it ships the delisted waste into a different disposal facility. (D) Failure to provide this notification will result in a violation of the delisting exclusion and a possible revocation of the decision.
*	* *	* * * *

* * * * *

[FR Doc. 2017–14829 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 82, No. 134
Friday, July 14, 2017

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2017–0034]

Notice of Request for Approval of an Information Collection; Changes to the National Poultry Improvement Plan Program Standards

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: New information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request approval of a new information collection associated with changes we are making to the National Poultry Improvement Plan Program Standards pertaining to the compartmentalization of primary poultry breeding establishments and approval of compartment components such as farms, feedmills, hatcheries, and egg depots.

DATES: We will consider all comments that we receive on or before September 12, 2017.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0034.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2017–0034, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0034* or in our reading room, which is located in Room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the National Poultry Improvement Plan Program Standards, contact Dr. Denise Brinson, DVM, Senior Coordinator, National Poultry Improvement Plan, VS, APHIS, USDA, 1506 Klondike Road, Suite 101, Conyers, GA 30094–5104; (770) 922–3496. For copies of more detailed information on the information collection, contact Ms. Kimberly Hardy, APHIS' Information Collection Coordinator, at (301) 851–2483.

SUPPLEMENTARY INFORMATION:

Title: Changes to the National Poultry Improvement Plan Program Standards.

OMB Control Number: 0579–XXXX.

Type of Request: Approval of a new information collection.

Abstract: The National Poultry Improvement Plan (NPIP) is a voluntary Federal-State-industry mechanism for controlling certain poultry diseases and for improving poultry breeding flocks and products through disease control techniques.

The cooperative work is carried out through Memoranda of Understanding with the participating States. Specific NPIP provisions are contained at parts 56, 145, 146, and 147 of Title 9, Code of Federal Regulations. Veterinary Services (VS) within the Animal and Plant Health Inspection Service (APHIS) administers these regulations.

The NPIP has an existing information collection under Office of Management and Budget (OMB) approval number 0579–0007. This supplemental information collection, which will be merged into 0579–0007 at its next renewal, covers activities added by amending the NPIP Program Standards.

On July 12, 2016, we published a notice [1] in the **Federal Register** (81 FR 45121–45122, Docket No. APHIS–2016–0013) advising the public that we had prepared updates to the NPIP Program Standards. Specifically, we proposed to add provisions for compartmentalization of primary poultry breeding establishments and approval of compartment components, such as farms, feedmills, hatcheries, and egg depots. These proposed provisions included requirements for applying for compartmentalization of facilities and for facility design and management, as well as an outline of the auditing system APHIS proposed to use to evaluate compartments and their component operations.

Compartmentalization is a procedure a country may implement to define and manage animal subpopulations of distinct health status and a common biosecurity program within its territory, in accordance with the guidelines in the World Organization for Animal Health (OIE) Terrestrial Animal Health Code for the purpose of disease control and international trade. Compartmentalization may also enable continued interstate movement of breeding stock to domestic customers and operations if future low pathogenic avian influenza and/or highly pathogenic avian influenza outbreaks occur.

Under the amended NPIP Standards proposed in the July 2016 notice, APHIS would recognize companies and associated entities as compartments on its receipt and review of application forms. These forms would be reviewed and signed by the Official State Agency administering the NPIP on APHIS' behalf at the State level and approved by the NPIP national office. Once the application was approved, an auditor would be assigned to assess and inspect all components of the compartment. If all components passed inspection, NPIP would notify the company of its compartment certification and the list of certified components within the compartment. Recertification of components would take place every year.

Prospective auditors would have to meet defined criteria and apply to the NPIP for acceptance as certified auditors to conduct assessments of prospective compartments.

In the July 2016 notice we indicated that in accordance with section 3507(d) of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), we had determined that there were reporting and recordkeeping burdens associated with the proposed compartmentalization requirements. We also stated that we would publish a

[1] To view the notice and comments we received, go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2016-0013.*

separate document in the **Federal Register** announcing our determination of burden and soliciting comments on it.

APHIS is asking OMB to approve, for 3 years, its use of these information collection activities in connection with APHIS' efforts to continually improve the health of the U.S. poultry population and the quality of U.S. poultry products.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 2.22 hours per response.

Respondents: Official State Agencies, prospective auditors, certified auditors, and breeding-hatchery companies and associated entities.

Estimated Number of Respondents: 25.

Estimated Number of Responses per Respondent: 26.

Estimated Annual Number of Responses: 660.

Estimated Total Annual Burden on Respondents: 1,463 hours.

(Due to rounding, the total annual burden hours may not equal the product of the annual number of responses multiplied by the average reporting burden per response).

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, on July 10, 2017.

Michael C. Gregoire,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2017–14812 Filed 7–13–17; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2017–0052]

Notice of Request for Revision to and Extension of Approval of an Information Collection; Blood and Tissue Collection and Recordkeeping at Slaughtering, Rendering, and Approved Livestock Marketing Establishments and Facilities

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with the regulations for blood and tissue collection and recordkeeping at slaughtering, rendering, and approved livestock marketing establishments and facilities to enhance animal disease surveillance.

DATES: We will consider all comments that we receive on or before September 12, 2017.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0052.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2017–0052, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0052* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the regulations for blood and tissue collection and recordkeeping at slaughtering, rendering, and approved livestock marketing establishments and facilities, contact Dr. Debra Cox, Senior Staff Veterinarian, Cattle Health Center, SPRS, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737; (301) 851–3504. For copies of more detailed information on the information collection, contact Ms. Kimberly Hardy, APHIS' Information Collection Coordinator, at (301) 851–2483.

SUPPLEMENTARY INFORMATION:

Title: Blood and Tissue Collection and Recordkeeping at Slaughtering, Rendering, and Approved Livestock Marketing Establishments and Facilities.

OMB Control Number: 0579–0212.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: Under the Animal Health Protection Act (7 U.S.C. 8301 *et seq.*), the Animal and Plant Health Inspection Service (APHIS) of the U. S. Department of Agriculture is authorized, among other things, to take measures to prevent the interstate spread of livestock diseases and for eradicating such diseases from the United States when feasible.

Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing the United States' ability to compete in international animal and animal product trade markets. APHIS uses livestock movement records and epidemiological data from blood and tissue sampling to conduct disease surveillance, assess the prevalence of disease, identify disease sources, and locate other animals that may have come into contact with a diseased animal.

When a disease is suspected in a given area, sampling is used to determine its presence or absence and to estimate the incidence or prevalence if it is present. The amount of sampling may increase in selected areas when a disease outbreak is suspected, then reduced in that area when sufficient tests have been done to prove the suspicion was unfounded or, if found, after the disease is eradicated. Sampling is also used to provide data for new or updated risk analyses in support of disease control programs, and, as required, opening international markets for animal products.

As part of this mission, APHIS' Veterinary Services conducts animal disease surveillance programs, diagnostic testing, and agreements in accordance with the regulations in 9 CFR part 71. Sections 71.20 and 71.21 authorize APHIS to conduct disease surveillance and blood and tissue sampling activities using livestock facility agreements and listing agreements between APHIS and owners and operators of slaughtering and rendering establishments and livestock

marketing facilities. Livestock marketing facilities are able to enter into approved livestock facility agreements that include animal identification information requirements, timely notifications, recordkeeping, and other actions that facilitate tracking animal movements and identifying possible disease occurrences. APHIS requires all slaughtering and rendering establishments that receive livestock and poultry through interstate movement to enter into listing agreements that permit the Agency to conduct blood and tissue sampling at the facilities. The agreements are critical during disease outbreaks as they reduce delays in assessments and, subsequently, disease spread.

The information collection requirements above are currently approved by the Office of Management and Budget (OMB) under OMB control numbers 0579–0212 (Blood and Tissue Collection at Slaughtering and Rendering Establishments) and 0579–0258 (Interstate Movement of Sheep and Goats; Recordkeeping for Approved Livestock Marketing Facilities and Slaughtering and Rendering Establishments). After OMB approves this combined information collection package (0579–0212), APHIS will retire OMB control number 0579–0258. Also, as a result of the aforementioned merging of information collection packages, APHIS has revised the name of this information collection from ''Blood and Tissue Collection at Slaughtering and Rendering Establishments'' to ''Blood and Tissue Collection and Recordkeeping at Slaughtering, Rendering, and Approved Livestock Marketing Establishments and Facilities''.

We are asking OMB to approve our use of these information collection activities, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of Burden: The public reporting burden for this collection of information is estimated to average 0.176 hours per response.

Respondents: State health authorities; accredited veterinarians; and owners, operators, and recordkeepers for slaughter and rendering establishments, and livestock marketing facilities.

Estimated Annual Number of Respondents: 2,864.

Estimated Annual Number of Responses per Respondent: 5.

Estimated Annual Number of Responses: 14,010.

Estimated Total Annual Burden on Respondents: 2,471 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, on July 10, 2017.

Michael C. Gregoire,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2017–14815 Filed 7–13–17; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–105–2017]

Foreign-Trade Zone 168—Dallas/Fort Worth, Texas Area; Application for Subzone; R.W. Smith & Co/TriMark USA, LLC; Lewisville, Texas

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Metroplex International Trade Development Corporation, grantee of FTZ 168, requesting subzone status for the facility of R.W. Smith & Co/TriMark USA, LLC, located in Lewisville, Texas. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally docketed on July 11, 2017.

The proposed subzone (15.65 acres) is located at 2801 S. Valley Parkway in Lewisville, Texas. No authorization for production activity has been requested at this time. The proposed subzone would be subject to the existing activation limit of FTZ 168.

In accordance with the Board's regulations, Camille Evans of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is August 23, 2017. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to September 7, 2017.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230–0002, and in the ''Reading Room'' section of the Board's Web site, which is accessible via *www.trade.gov/ftz.*

For further information, contact Camille Evans at *Camille.Evans@trade.gov* or (202) 482–2350.

Dated: July 11, 2017.

Elizabeth Whiteman,

Acting Executive Secretary.

[FR Doc. 2017–14800 Filed 7–13–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–11–2017]

Foreign-Trade Zone 163—Ponce, Puerto Rico; Application for Subzone; LT Autos, LLC; Amendment of Application

A request has been submitted to the Foreign-Trade Zones Board (the Board) by CODEZOL, C.D., to amend the application requesting subzone status for the facility of LT Autos, LLC, located in Ponce, Puerto Rico.

CODEZOL, C.D., is now requesting to include additional acreage located at 3215 Avenida Rafael Lugo González, Urb. Perla del Sur, Ponce. The proposed subzone will now consist of 4.12 acres (versus 1.505 acres as originally proposed).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at: Foreign-Trade Zones Board, U.S. Department of Commerce, Room 21013, 1401 Constitution Ave. NW., Washington, DC 20230.

The closing period for their receipt is August 14, 2017. Rebuttal comments in

response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to August 28, 2017).

For further information, contact Camille Evans at *Camille.Evans@trade.gov* or (202) 482–2350.

Dated: July 11, 2017.

Elizabeth Whiteman,

Acting Executive Secretary.

[FR Doc. 2017–14801 Filed 7–13–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–489–830]

Steel Concrete Reinforcing Bar From the Republic of Turkey: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Administration (ITC), the Department is issuing a countervailing duty (CVD) order on steel concrete reinforcing bar (rebar) from the Republic of Turkey (Turkey). In addition, the Department is amending its final determination to correct ministerial errors.

DATES: July 14, 2017.

FOR FURTHER INFORMATION CONTACT: Kaitlin Wojnar, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3857.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 705(d) and 777(i) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.210(c), on May 22, 2017, the Department published its affirmative final determination in the CVD investigation of rebar from Turkey.[1] As discussed below, several interested parties filed ministerial error comments on the *Final Determination*,[2] which the Department addressed in a separate memorandum.[3] On June 30, 2017, the ITC notified the Department of its final determination pursuant to section 705(b)(1)(A)(i) of the Act that an industry in the United States is materially injured by reason of subsidized imports of rebar from Turkey.[4]

Scope of the Order

The product covered by this order is rebar from Turkey. For a complete description of the scope of this order, *see* the Appendix to this notice.

Amendment to the Final Determination

On May 24, 2017, Habaş Sinai ve Tibbi Gazlar Istihsal Endüstrisi A.Ş. (Habas) and the Government of Turkey (the GOT) alleged that the Department made ministerial errors in the *Final Determination*.[5] The petitioner in this proceeding, the Rebar Trade Action Coalition and its individual members,[6] subsequently filed comments on the ministerial error allegations.[7] A ministerial error is defined as an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Department considers ministerial.[8]

The Department reviewed the record and agrees that certain errors identified by Habas constitute ministerial errors within the meaning of section 705(e) of the Act and 19 CFR 351.224(f).[9] Therefore, pursuant to 19 CFR 351.224(e), the Department is amending the *Final Determination* to reflect the correction of these ministerial errors, resulting in a change in the net countervailable subsidy rate from 16.21 percent to 15.99 percent. In addition, because the ''all-others'' rate is based on Habas's subsidy rate, we are revising the subsidy rate for companies that were not individually examined in this investigation from 16.21 percent to 15.99 percent.[10]

Countervailing Duty Order

In accordance with sections 705(b)(1)(A)(i) and 705(d) of the Act, the ITC notified the Department of its final determination that an industry in the United States is materially injured by reason of subsidized imports of rebar from Turkey.[11] Therefore, in accordance with section 705(c)(2) of the Act, we are issuing this CVD order.

Because the ITC determined that imports of rebar from Turkey are materially injuring a U.S. industry, unliquidated entries of such merchandise from Turkey, entered or withdrawn from warehouse for consumption, are subject to the assessment of countervailing duties. Therefore, in accordance with section 706(a) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, countervailing duties for all relevant entries of rebar from Turkey in an amount equal to the net countervailable subsidy rates for the subject merchandise. Countervailing duties will be assessed on unliquidated entries of rebar from Turkey entered, or withdrawn from warehouse for consumption, on or after March 1, 2017, the date on which the Department published its preliminary determination in the **Federal Register**.[12]

Continuation of Suspension of Liquidation

In accordance with section 706 of the Act, the Department will direct CBP to continue to suspend liquidation of all relevant entries of rebar from Turkey, effective the date of publication of the ITC's notice of final determination in

[1] *See Steel Concrete Reinforcing Bar from the Republic of Turkey: Final Affirmative Countervailing Duty Determination,* 82 FR 23188 (May 22, 2017) (*Final Determination*).

[2] *See* Letter from Habas, ''Steel Concrete Reinforcing Bar from Turkey; Habas: request for correction of ministerial errors,'' May 24, 2017 (Habas Ministerial Error Allegations); *see also* Letter from the GOT, ''Request of Government of Turkey for Correction of Ministerial Error on Final Determination in CVD Proceeding on Steel Concrete Reinforcing Bar from the Republic of Turkey,'' May 24, 2017 (GOT Ministerial Error Allegations); Letter from the petitioner, ''Steel Concrete Reinforcing Bar from the Republic of Turkey: Rebuttal to Ministerial Error Submissions,'' May 30, 2017 (Petitioner Ministerial Error Rebuttal).

[3] *See* Department Memorandum, ''Steel Concrete Reinforcing Bar from the Republic of Turkey: Response to Ministerial Error Comments on the Final Affirmative Countervailing Duty Determination,'' June 12, 2017 (Ministerial Error Memorandum) (providing a detailed discussion of the alleged ministerial errors).

[4] *See* Letter from the ITC to the Honorable Ronald Lorentzen, June 30, 2017 (Notification of ITC Final Determination); *see also Steel Concrete Reinforcing Bar from Japan and Turkey,* Investigation Nos. 701–TA–564 and 731–TA–1338–1340 (Final) (June 2017).

[5] *See* Habas Ministerial Error Allegations and GOT Ministerial Error Allegations.

[6] The Rebar Trade Action Coalition is comprised of Byer Steel Group, Inc., Commercial Metals Company, Gerdau Ameristeel U.S. Inc., Nucor Corporation, and Steel Dynamics, Inc.

[7] *See* Petitioner Ministerial Error Rebuttal.

[8] *See* section 705(e) of the Act.

[9] *See* Ministerial Error Memorandum.

[10] *See* Ministerial Error Memorandum at 8. Currently, only Habas is subject to this CVD order. Therefore, at this time, no companies will be subject to the all-others rate and the cash deposit rates discussed below will apply solely to rebar produced and exported by Habas.

[11] Notification of ITC Final Determination.

[12] *See Steel Concrete Reinforcing Bar from the Republic of Turkey: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination with Final Antidumping Duty Determination,* 82 FR 12195 (March 1, 2017).

the **Federal Register**. These instructions will remain in effect until further notice.

The Department will also instruct CBP to require cash deposits equal to the amounts indicated below, effective the date of publication of this amended final determination in the **Federal Register**. At the time of publication, only rebar both produced and exported by Habas is within the scope of this order. Accordingly, no companies are currently subject to the all-others rate listed below.

Subsidy Rates

The Department has calculated the following countervailable subsidy rates:

Exporter/producer	Subsidy rate (percent)
Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S	15.99
All Others	15.99

Notification to Interested Parties

This notice constitutes the CVD order with respect to rebar from Turkey, pursuant to section 706(a) of the Act. Interested parties can find a list of CVD orders currently in effect at *http://enforcement.trade.gov/stats/iastats1.html.*

This order is issued and published in accordance with section 706(a) of the Act and 19 CFR 351.211(b).

Dated: July 6, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Order

The merchandise subject to this order is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof. Subject merchandise includes deformed steel wire with bar markings (*e.g.,* mill mark, size, or grade) and which has been subjected to an elongation test.

The subject merchandise includes rebar that has been further processed in the subject country or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of the order if performed in the country of manufacture of the rebar.

Specifically excluded are plain rounds (*i.e.,* nondeformed or smooth rebar). Also excluded from the scope is deformed steel wire meeting ASTM A1064/A1064M with no bar markings (*e.g.,* mill mark, size, or grade) and without being subject to an elongation test.

At the time of the filing of the petition, there was an existing countervailing duty order on steel reinforcing bar from the Republic of Turkey. *Steel Concrete Reinforcing Bar from the Republic of Turkey,* 79 FR 65,926 (Dep't Commerce Nov. 6, 2014) (2014 Turkey CVD Order). The scope of this countervailing duty order with regard to rebar from Turkey covers only rebar produced and/or exported by those companies that are excluded from the 2014 Turkey CVD Order. At the time of the issuance of the 2014 Turkey CVD Order, Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. was the only excluded Turkish rebar producer or exporter.

The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000.

HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

[FR Doc. 2017–14803 Filed 7–13–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–829, A–588–876]

Steel Concrete Reinforcing Bar From the Republic of Turkey and Japan: Amended Final Affirmative Antidumping Duty Determination for the Republic of Turkey and Antidumping Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Administration (ITC), the Department is issuing antidumping duty (AD) orders on steel concrete reinforcing bar (rebar) from the Republic of Turkey (Turkey) and Japan. In addition, the Department is amending its affirmative final determination for Turkey to correct ministerial errors.

DATES: July 14, 2017.

FOR FURTHER INFORMATION CONTACT: Myrna Lobo or Alex Cipolla at (202) 482–2371 and (202) 482–4956, respectively (Turkey), or David Lindgren at (202) 482–3870 (Japan), AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 735(d) and 777(i)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.210(c), the Department published its affirmative final determinations in the less-than-fair-value (LTFV) investigations of rebar from Turkey and Japan.[1] On June 30, 2017, the ITC notified the Department of its final determination that an industry in the United States is materially injured by reason of LTFV imports of subject merchandise from Turkey and Japan within the meaning of 705(b)(1)(A)(i) of the Act.[2]

Scope of the Orders

The product covered by these orders is rebar from Turkey and Japan. For a complete description of the scope of the orders, *see* the Appendix to this notice.

Amendment to Turkey Final Determination

On May 22, 2017, the Rebar Trade Action Coalition and its individual members,[3] (collectively, the petitioners) alleged that the Department made various ministerial errors in the *Turkey Final Determination* with regard to the gross unit price and downstream sales used in the margin calculation for respondent Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S. (Icdas).[4] On the same day, respondent Habaş Sinai ve Tibbi Gazlar Istihsal Endüstrisi A.Ş. (Habas) timely alleged that the Department made a ministerial error in the AD cash deposit rate assigned to Habas by not offsetting for export subsidies from the concurrent countervailing duty (CVD)

[1] *See Steel Concrete Reinforcing Bar From the Republic of Turkey: Final Determination of Sales at Less Than Fair Value,* 82 FR 23192 (May 22, 2017) (*Turkey Final Determination*); *see also Steel Concrete Reinforcing Bar From Japan: Final Affirmative Determination of Sales at Less Than Fair Value,* 82 FR 23195 (May 22, 2017) (*Japan Final Determination*).

[2] *See* Letter from the ITC to the Honorable Ronald Lorentzen, June 30, 2017 (Notification of ITC Final Determination); *see also Steel Concrete Reinforcing Bar from Japan and Turkey,* Investigation Nos. 701–TA–564 and 731–TA–1388 and 1340 (Final) (June 2017).

[3] The Rebar Trade Action Coalition is comprised of Byer Steel Group, Inc., Commercial Metals Company, Gerdau Ameristeel U.S. Inc., Nucor Corporation, and Steel Dynamics, Inc.

[4] *See* Petitioner's 5/22/2017 Letter, ''Steel Concrete Reinforcing Bar from the Republic of Turkey; Clerical Error Submission for the Final Determination,'' (May 22, 2017).

investigation.[5] Icdas also made an untimely filing.[6] In addition, the Government of the Republic of Turkey (GOT) submitted a letter requesting the Department to take into consideration respondent companies concerns.[7] On June 13, 2017, the Department rejected Icdas' untimely filed ministerial error allegation, along with all submissions that commented on, or rebutted it.[8] At the request of the Department, the petitioners refiled theirits rebuttal comments to exclude comments on Icdas since that filing was removed from the record.[9]

A ministerial error is defined as an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Department considers ministerial.[10]

The Department reviewed the record and agrees that certain errors identified by the petitioner with respect to Icdas constitute ministerial errors within the meaning of section 735(e) of the Act and 19 CFR 351.224(f).[11] Therefore, pursuant to 19 CFR 351.224(e), the Department is amending the *Turkey Final Determination* to reflect the correction of these ministerial errors in the calculation of the final margin assigned to Icdas.[12] In addition, because the ''all-others'' rate is based on the margins for Habas and Icdas,[13] we are revising the ''all-others'' rate.[14]

Antidumping Duty Orders

In accordance with section 735(d) of the Act, the ITC notified the Department of its final determinations in these investigation, in which it found that an industry in the United States is materially injured by reason of imports of rebar from Turkey and Japan. Therefore, in accordance with section 735(c)(2) of the Act, we are issuing these antidumping duty orders. Because the ITC determined that imports of rebar from Turkey and Japan are materially injuring a U.S. industry, unliquidated entries of such merchandise from Turkey and Japan, entered or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of rebar from Turkey and Japan. Antidumping duties will be assessed on unliquidated entries of rebar from Turkey and Japan entered, or withdrawn from warehouse, for consumption on or after March 7, 2017, the date of publication of the *Preliminary Determinations*.[15]

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct CBP to continue to suspend liquidation of all relevant entries of rebar from Turkey and Japan, effective the date of publication of the ITC's notice of final determination in the **Federal Register**. These instructions suspending liquidation will remain in effect until further notice.

The Department will also instruct CBP to require cash deposits equal to the amounts as indicated below, which are adjusted for certain countervailable export subsidies, where appropriate, effective the date of publication of the ITC's final determination in the **Federal Register**. The relevant all-others rates apply to all producers or exporters not specifically listed below.

Estimated Weighted-Average Dumping Margins

The weighted-average antidumping duty margin percentages are as follows:

	Exporter/producer	Weighted-average dumping margins (%)	Cash-deposit rate (adjusted for export subsidies) [16] (%)
Turkey	Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S	5.39	5.25
	Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S	9.06	8.89
	All-Others	7.43	7.26

	Exporter/producer	Weighted-average dumping margins (%)
Japan	Jonan Steel Corporation	209.46
	Kyoei Steel Ltd	209.46
	All-Others	206.43

[5] *See* Habas' 5/22/2017 Letter, ''Steel Concrete Reinforcing Bar from Turkey; Habas: Request for correction of ministerial error,'' (May 22, 2017).

[6] *See* Department's 6/12/2017 Letter, ''Steel Concrete Reinforcing Bar from the Republic of Turkey: Icdas' Ministerial Errors & Request to File out of Time,'' (June 12, 2017).

[7] S*ee* GOT's 5/22/2017 Letter, ''Final Determination in the Antidumping Duty Investigation of Steel Concrete Reinforcing Bar from the Republic of Turkey,'' (May 22, 2017).

[8] *See* Memorandum, ''Steel Concrete Reinforcing Bar from the Republic of Turkey: Reject and Delete Untimely Submissions from Interested Parties,'' (June 13, 2017).

[9] *See* Petitioner's 6/14/2017 Letter, ''Steel Concrete Reinforcing Bar from the Republic of Turkey: Reply to Ministerial Error Submission,'' (June 14, 2017).

[10] *See* section 705(e) of the Act.

[11] *See* Memorandum, ''Amended Final Determination of the Antidumping Duty Investigation: Allegations of Ministerial Errors,'' July 7, 2017 (Ministerial Error Memorandum) (providing a detailed discussion of the alleged ministerial errors).

[12] *See* Ministerial Error Memorandum at 3.

[13] *See Turkey Final Determination,* 82 FR at 23193 (explaining the Department's methodology for calculating the ''all-others'' rate in this investigation).

[14] *See* Memorandum ''Amended Final Determination Calculation for the ''All-Others'' Rate,'' dated July 7, 2017 (Amended All-Others Rate Memorandum).

[15] *See Steel Concrete Reinforcing Bar From the Republic of Turkey: Preliminary Affirmative Determination of Sales at Less Than Fair Value,* 82 FR 12791 (March 7, 2017); *see also Steel Concrete Reinforcing Bar From Japan: Preliminary Affirmative Determination of Sales at Less Than Fair Value,* 82 FR 12796 (March 7, 2017).

[16] *See* Ministerial Error Memorandum; *see also* Memorandum ''Amended Final Determination Margin Calculation for Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S.'' dated July 7, 2017; *see also* Amended All-Others Rate Memorandum.

Notification to Interested Parties

This notice constitutes the antidumping orders with respect to rebar from Turkey and Japan, pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at *http://enforcement.trade.gov/stats/iastats1.html.*

These orders are issued and published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: July 10, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, Performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Orders

The merchandise subject to these orders is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof. Subject merchandise includes deformed steel wire with bar markings (*e.g.,* mill mark, size, or grade) and which has been subjected to an elongation test.

The subject merchandise includes rebar that has been further processed in the subject countries or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of these orders if performed in the country of manufacture of the rebar.

Specifically excluded are plain rounds (*i.e.,* nondeformed or smooth rebar). Also excluded from the scope is deformed steel wire meeting ASTM A1064/A1064M with no bar markings (*e.g.,* mill mark, size, or grade) and without being subject to an elongation test.

The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000.

HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

[FR Doc. 2017–14802 Filed 7–13–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF510

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit application submitted by the Cape Cod Commercial Fishermen's Alliance contains all of the required information and warrants further consideration. This Exempted Fishing Permit would allow participants to use electronic monitoring systems in lieu of at-sea monitors in support of a study to develop electronic monitoring for the purposes of catch monitoring in the groundfish fishery. Additionally, vessels would be authorized to access portions of groundfish closed areas. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed Exempted Fishing Permits.

DATES: Comments must be received on or before July 31, 2017.

ADDRESSES: You may submit written comments by either of the following methods:

- *Email: nmfs.gar.efp@noaa.gov.* Include in the subject line ''CCCFA EM EFP.''
- *Mail:* John K. Bullard, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope ''CCCFA EM EFP.''

FOR FURTHER INFORMATION CONTACT: Claire Fitz-Gerald, Fishery Management Specialist, 978–281–9255.

SUPPLEMENTARY INFORMATION: Groundfish sectors are required to implement and fund an at-sea monitoring (ASM) program. A sector is allowed to use electronic monitoring (EM) to satisfy this monitoring requirement, provided that NMFS deems the technology sufficient for catch monitoring. EM typically incorporates video cameras, gear sensors, and electronic reporting systems into a vessel's fishing operations. For the groundfish fishery, the program designs currently being considered are the ''audit model'' and the ''maximized retention model.'' The audit model would use EM to verify discards reported by a captain on a vessel trip report (VTR). Under the maximized retention model, vessels would be required to retain most fish species (*e.g.,* allocated groundfish stocks), but be required to discard other species, such as those managed by trip limits (*e.g.,* dogfish) or protected species (*e.g.,* Atlantic salmon), and EM would be used to ensure compliance with discarding regulations.

NMFS has not yet approved EM as a suitable alternative to ASM for the groundfish fishery. There are still some issues that must be resolved; for example, specifying how much video needs to be reviewed to satisfy monitoring objectives and identifying best practices for species that are difficult to identify. To address these challenges, NMFS has been collaborating with the Cape Cod Commercial Fishermen's Alliance (CCCFA), The Nature Conservancy (TNC), the Gulf of Maine Research Institute, the Maine Coast Fishermen's Association, Ecotrust Canada, and several groundfish sectors since 2015. NMFS continues to develop an EM program with these partners that can be implemented for catch monitoring in the groundfish fishery. In May 2016, NMFS issued EFPs to vessels from the Georges Bank Cod Fixed Gear Sector, the Maine Coast Community Sector, the Sustainable Harvest Sector, and Northeast Fishery Sectors 5 and 11, which allowed them to use EM in lieu of at-sea monitors on trips selected for ASM, at the 14 percent target observer coverage level. Under the EFP, 100 percent of the video from these trips are reviewed and used to identify and enumerate discards of groundfish species. NMFS did not use discarded catch reported on the vessel trip report. In May 2017, the EFP was renewed to continue efforts to improve the functionality of EM, refine fish handling protocols, and support future implementation of the audit model. The 2017 target observer coverage is 16 percent. However, our partners are seeking to expand the use of EM and data collection, and requested this new, additional EFP.

Under this newest EFP, participants would be required to use EM on 100 percent of their groundfish trips to verify regulated groundfish discards, and EM would be used to replace at-sea monitors when selected for ASM

coverage. EM would not replace Northeast Fishery Observer Program (NEFOP) observers, but EM would run concurrently on these trips. Initially, 100 percent of the video from every trip would be reviewed for data collection to monitor discards and support ongoing analysis to implement an audit program (*i.e.,* reduce video review rates below 100 percent and/or use electronic VTR for discard data in quota monitoring).

Given presumably high concentrations of healthy fish stocks in portions of groundfish closed areas, and because vessels would be fully monitored, the CCCFA also requested access to portions of groundfish closed areas to enable vessels to more effectively target healthy fish stocks (*i.e.,* pollock, haddock, hake, and redfish), while avoiding cod. If approved, this request would help achieve another project objective, which is to increase participation and incentivize the use of EM. These exemptions would include: (1) Hook gear (jig machines, hand gear, benthic long lines) and sink gillnets in Closed Area I (CAI) and Closed Area II (CAII); (2) Hook gear (jig machines, hand gear, benthic long lines) in the Western Gulf of Maine (WGOM) Closure Area; and (3) Jig gear (jig machines and hand gear) in the Fippennies Ledge portion of Cashes Ledge. The CCCFA did not request that trawl gear vessels be allowed to access these closed areas under the EFP. The EFP would not exempt any participating vessels from the seasonal Gulf of Maine (GOM) Cod Protection Areas to ensure cod spawning protection is not undermined. EFP trips would occur year-round (excluding seasonal closures), although the majority of trips would occur in the summer and fall months. Participation in this EFP would be heavily dependent on how many vessels leave the already-approved EFP (*i.e.,* 16 percent coverage, no closed area access), and choose to join this new EFP (*i.e.,* 100 percent coverage, closed area access). There are currently 14 vessels listed on the current EFP. Because vessels may only participate in one of these EFPs; these 14 vessels, plus an additional 3 vessels, could be approved under this new 100-percent EM EFP. If access to the closed areas is approved, we expect most vessels would choose to participate in this new EFP.

All catch of groundfish stocks allocated to sectors by vessels would be deducted from the sector's annual catch entitlement for each groundfish stock. Legal-sized regulated groundfish would be retained and landed, as required by the FMP. Undersized groundfish would be handled according to the EM project guidelines in view of cameras and returned to the sea as quickly as possible. All other species would be handled per normal commercial fishing operations. No legal-size regulated groundfish would be discarded, unless otherwise permitted through regulatory exemptions granted to the participating vessel's sector.

NMFS has not yet developed the full set of business rules for an audit program, such as the pass/fail criteria and the video review rates. However, under this EFP, vessels would continue to pursue the audit model by reporting all catch (kept and discards) on their electronic VTR, and EM would be used to monitor discards from each trip. This EFP is expected to significantly increase EM data collection by requiring EM on 100 percent of trips along with increased opportunities for accessing healthy fish stocks within some closed areas. This will improve the ability to develop and implement an audit program, beyond the EFPs that required EM coverage of 14 percent last year, and 16 percent this year.

The CCCFA requested a gear exemption from the Atlantic Highly Migratory Species (HMS) regulations; that request is being considered separately by the Atlantic HMS program.

The CCCFA also requested an exemption from the Pre-Trip Notification System (PTNS), which is used in several fisheries for NEFOP observer deployment and for ASM deployment in the groundfish fishery; we do not intend to grant that exemption. Vessels participating in this EFP are still required to take NEFOP observers, and without a suitable and fair alternative, we must still use PTNS to facilitate and monitor observer deployments in the fishery. Additionally, it is highly likely that all Federal vessels will have a pre-trip requirement as part of the Region's Fishery-Dependent Data Vision (FDDV) project. We think it is important to retain this type of requirement, rather than temporarily exempt vessels only to have it replaced by a similar requirement in the near future. However, we recognize the concerns expressed by the applicants, and the fishing industry at-large regarding reporting requirements. We expect that the FDDV will address many of these concerns, and that EM may offer the ability to simplify reporting. If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 11, 2017.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–14820 Filed 7–13–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Billfish Tagging Report Card

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before September 12, 2017.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at *pracomments@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Gerard DiNardo, NOAA Southwest Fisheries Science Center, (858) 546–7106, or *gerard.dinardo@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a currently approved information collection. The National Oceanic and Atmospheric Administration's Southwest Fisheries Science Center operates a billfish tagging program. Tagging supplies are provided to volunteer anglers. When anglers catch and release a tagged fish they submit a

brief report on the fish and the location of the tagging. The information obtained is used in conjunction with tag returns to determine billfish migration patterns, mortality rates, and similar information useful in the management of the billfish fisheries. This program is authorized under 16 U.S.C. 760(e), Study of migratory game fish; waters; research; purpose.

II. Method of Collection

Information is submitted by mail, via a paper form the size of a postcard.

III. Data

OMB Control Number: 0648–0009.

Form Number(s): NOAA Form 88–162.

Type of Review: Regular submission (extension of a currently approved collection).

Affected Public: Individuals or households.

Estimated Number of Respondents: 1000.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 83.

Estimated Total Annual Cost to Public: $0.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: July 11, 2017.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2017–14862 Filed 7–13–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF494

Marine Fisheries Advisory Committee

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of open public meetings.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Marine Fisheries Advisory Committee (MAFAC). The members will discuss and provide advice on improving resilience of coastal fishing communities.

DATES: The meeting is scheduled for August 9, 2017, 2–5 p.m., Eastern Daylight Time.

ADDRESSES: Public access is available at 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing to participate may contact Heidi Lovett, (301) 427–8034; email: *heidi.lovett@noaa.gov.*

SUPPLEMENTARY INFORMATION: The MAFAC was established by the Secretary of Commerce (Secretary), and, since 1971, advises the Secretary on all living marine resource matters that are the responsibility of the Department of Commerce. The charter and other information are located online at *http://www.nmfs.noaa.gov/ocs/mafac/.*

Matters To Be Considered

The Committee is convening to discuss and finalize their recommendations on improving resilience of coastal fishing communities. Other administrative matters may be considered. This date, time, and agenda are subject to change.

Time and Date

The meeting is scheduled for August 9, 2017, 2–5 p.m., Eastern Daylight Time by conference call. Conference call information for the public will be posted at *http://www.nmfs.noaa.gov/ocs/mafac/* by July 26, 2017.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Heidi Lovett, 301–427–8034 by July 26, 2017.

Dated: July 7, 2017.

Jennifer Lukens,

Director for the Office of Policy, National Marine Fisheries Service.

[FR Doc. 2017–14797 Filed 7–13–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Judicial Proceedings Since Fiscal Year 2012 Amendments Panel; Notice of Federal Advisory Committee Meeting

AGENCY: General Counsel of the Department of Defense, Department of Defense.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The Department of Defense (DoD) is publishing this notice to announce that the following Federal Advisory Committee meeting of the Judicial Proceedings Since Fiscal Year 2012 Amendments Panel will take place.

DATES: Open to the public, Wednesday, July 26, 2017, from 9:00 a.m. to 4:15 p.m. and Thursday, July 27, 2017, from 9:00 a.m. to 1:30 p.m.

ADDRESSES: One Liberty Center, Suite 1432, 875 North Randolph Street, Arlington, Virginia 22203.

FOR FURTHER INFORMATION CONTACT: Maria Fried, 703–571–2664 (Voice), 703–693–3903 (Facsimile), *whs.pentagon.em.mbx.judicial-panel@mail.mil* (Email). Mailing address is One Liberty Center, 875 N. Randolph Street, Suite 150, Arlington, Virginia 22203. Web site: *http://jpp.whs.mil/.* The most up-to-date changes to the meeting agenda can be found on the Web site.

SUPPLEMENTARY INFORMATION: Due to circumstances beyond the control of the Designated Federal Officer and the Department of Defense, the Judicial Proceedings Since Fiscal Year 2012 Amendments Panel was unable to provide public notification concerning its meeting on July 26 through 27, 2017, as required by 41 CFR 102–3.150(a). Accordingly, the Advisory Committee Management Officer for the Department of Defense, pursuant to 41 CFR 102–3.150(b), waives the 15-calendar day notification requirement.

This meeting is being held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.140 and 102–3.150.

For meeting information please contact the staff director, Captain

Tammy Tideswell, JAGC, U.S. Navy, Judicial Proceedings Panel, One Liberty Center, 875 N. Randolph Street, Suite 150, Arlington, VA 22203, *whs.pentagon.em.mbx.judicial-panel@mail.mil* (Email), (703) 693–3867 (Voice), or (703) 693–3903 (Facsimile). For submitting written comments or questions to the Panel, send via email to *whs.pentagon.em.mbx.judicial-panel@mail.mil.* Materials provided to Panel members for use at the public meeting may be obtained at the meeting or from the Panel's Web site at *http://jpp.whs.mil/.*

Purpose of the Meeting: In section 576(a)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112–239), as amended, Congress tasked the Judicial Proceedings Panel to conduct an independent review and assessment of judicial proceedings conducted under the Uniform Code of Military Justice (UCMJ) involving adult sexual assault and related offenses since the amendments made to the UCMJ by section 541 of the National Defense Authorization Act for Fiscal Year 2012 (Pub. L. 112–81; 125 Stat. 1404), for the purpose of developing recommendations for improvements to such proceedings. At this meeting, the Panel will deliberate on four pending reports: The JPP Report on Panel Concerns Regarding the Fair Administration of Military Justice in Sexual Assault Cases; the JPP Report on Fiscal Year 2015 Statistical Data Regarding Military Adjudication of Sexual Assault Offenses; the JPP Report on Sexual Assault Investigations in the Military; and the JPP Final Report.

Agenda: Wednesday, July 26, 2017: 8:30 a.m.–9:00 a.m. Administrative Work (41 CFR 102–3.160, not subject to notice and open meeting requirements); 9:00 a.m.–9:15 a.m. Welcome and Introduction; 9:15 a.m.–12:15 p.m. Panel Deliberations on JPP Report on Panel Concerns Regarding the Fair Administration of Military Justice in Sexual Assault Cases; 12:15 p.m.–1:00 p.m. Lunch; 1:00 p.m.–2:30 p.m. Panel Deliberations on JPP Report on Fiscal Year 2015 Statistical Data Regarding Military Adjudication of Sexual Assault Offenses; 2:30 p.m.–4:00 p.m. Panel Deliberations on JPP Report on Sexual Assault Investigations in the Military; 4:00 p.m.–4:15 p.m. Public Comment; 4:15 p.m. Meeting Adjourned. Thursday, July 27, 2017: 8:30 a.m.–9:00 a.m. Administrative Work (41 CFR 102–3.160, not subject to notice and open meeting requirements); 9:00 a.m.–9:15 a.m. Welcome and Introduction; 9:15 a.m.–12:15 p.m. Panel Deliberations on JPP Final Report; 12:15 p.m.–1:00 p.m. Lunch; 1:00 p.m.–1:30 p.m. JPP Meeting Wrap-up; 1:30 p.m. Meeting Adjourned.

Meeting Accessibility: Pursuant to 5 U.S.C. 552b and 41 CFR 102–3.140 through 102–3.165, and the availability of space, this meeting is open to the public. Seating is limited and is on a first-come basis. In the event the Office of Personnel Management closes the government due to inclement weather or for any other reason, please consult the Web site for any changes to the public meeting date or time. Visitors are required to sign in at the One Liberty Center security desk and must leave government-issued photo identification on file while in the building. Department of Defense Common Access Card (CAC) holders who do not have authorized access to One Liberty Center must provide an alternate form of government-issued photo identification to leave on file with security while in the building. All visitors must pass through a metal detection security screening. Individuals requiring special accommodations to access the public meeting should contact the Judicial Proceedings Panel at *whs.pentagon.em.mbx.judicial-panel@mail.mil* at least five (5) business days prior to the meeting so that appropriate arrangements can be made.

Written Statements: Pursuant to 41 CFR 102–3.140 and section 10(a)(3) of the Federal Advisory Committee Act of 1972, the public or interested organizations may submit written comments to the Panel about its mission and topics pertaining to this public session. Written comments must be received by the JPP at least five (5) business days prior to the meeting date so that they may be made available to the Judicial Proceedings Panel for their consideration prior to the meeting. Written comments should be submitted via email to the Judicial Proceedings Panel at *whs.pentagon.em.mbx.judicial-panel@mail.mil* in the following formats: Adobe Acrobat or Microsoft Word. Please note that since the Judicial Proceedings Panel operates under the provisions of the Federal Advisory Committee Act, as amended, all written comments will be treated as public documents and will be made available for public inspection. Oral statements from the public will be permitted, though the number and length of such oral statements may be limited based on the time available and the number of such requests. Oral presentations by members of the public will be permitted from 4:00 p.m. to 4:15 p.m. on July 26, 2017, in front of the Panel members.

Dated: July 11, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2017–14843 Filed 7–13–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

Reopening; Application Deadline for Fiscal Year 2017; Small, Rural School Achievement Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice.

SUMMARY: On April 17, 2017, we published in the **Federal Register** (82 FR 18131) a notice of application deadline for fiscal year (FY) 2017 for the Small, Rural School Achievement (SRSA) formula grant program, Catalog of Federal Domestic Assistance (CFDA) number 84.358A. The notice of application deadline established a deadline date of June 30, 2017, for eligible local education agencies (LEAs) to submit their FY 2017 SRSA applications in the *Grants.gov* system. This notice reopens the application period in *Grants.gov* until July 28, 2017.

DATES: Deadline for Transmittal of Applications: July 28, 2017.

FOR FURTHER INFORMATION CONTACT: Mr. Eric Schulz, U.S. Department of Education, 400 Maryland Avenue SW., Room 3E–210, Washington, DC 20202. Telephone: (202) 260–7349 or by email: *reap@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: We are reopening the application deadline date for FY 2017 SRSA grant applications in order to allow eligible LEAs additional time to complete and submit their applications. All LEAs eligible to receive an SRSA award are required to submit an SRSA application in order to receive SRSA funds, regardless of whether the LEA received an award in prior years. An LEA eligible to receive FY 2017 SRSA funds that fails to submit an FY 2017 SRSA application or fails to submit an application in accordance with the application submission procedures will not receive an SRSA award this September.

Applicants that did not meet the initial June 30, 2017 deadline must submit applications by July 28, 2017 to be considered for FY 2017 funding.

Applicants that already submitted timely applications that meet all of the requirements of the notice of application deadline do not have to resubmit their applications.

Applicants must submit their applications in *Grants.gov* by 4:30:00 p.m., Washington, DC time on July 28, 2017. Instructions on submitting an application can be found in the notice of application deadline published in the **Federal Register** on April 17, 2017 (82 FR 18131).

Note: All information in the notice of application deadline for FY 2017 SRSA grant applications remains the same, except for the deadline for the transmittal of applications.

Program Authority: Sections 5211–12 of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act.

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: July 11, 2017.

Jason Botel,

Acting Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2017–14837 Filed 7–13–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

National Assessment Governing Board Quarterly Board Meeting

AGENCY: National Assessment Governing Board, U.S. Department of Education.

ACTION: Announcement of open and closed meetings.

SUMMARY: This notice sets forth the agenda for the August 3–5, 2017 Quarterly Board Meeting of the National Assessment Governing Board (hereafter referred to as Governing Board). This notice provides information to members of the public who may be interested in attending the meeting or providing written comments related to the work of the Governing Board. Written comments may be submitted electronically or in hard copy to the attention of the Executive Officer (see contact information below). Notice of this meeting is required under the Federal Advisory Committee Act (FACA).

DATES: The Quarterly Board Meeting will be held on the following dates:

- August 3, 2017 from 8:30 a.m. to 6:00 p.m.
- August 4, 2017 from 8:30 a.m. to 4:45 p.m.
- August 5, 2017 from 7:30 a.m. to 12:00 p.m.

ADDRESSES: Washington Marriott Georgetown, 1221 22nd Street NW., Washington, DC 20037.

FOR FURTHER INFORMATION CONTACT: Munira Mwalimu, Executive Officer/Designated Federal Official for the Governing Board, 800 North Capitol Street NW., Suite 825, Washington, DC 20002, telephone: (202) 357–6938, fax: (202) 357–6945, email: *Munira.Mwalimu@ed.gov.*

SUPPLEMENTARY INFORMATION:

Statutory Authority and Function: The Governing Board is established under the National Assessment of Educational Progress Authorization Act, Title III of Public Law 107–279. Information on the Governing Board and its work can be found at *www.nagb.gov.*

The Governing Board is established to formulate policy for the National Assessment of Educational Progress (NAEP). The Governing Board's responsibilities include the following: Selecting subject areas to be assessed, developing assessment frameworks and specifications, developing appropriate student achievement levels for each grade and subject tested, developing standards and procedures for interstate and national comparisons, improving the form and use of NAEP, developing guidelines for reporting and disseminating results, and releasing initial NAEP results to the public.

August 3–5, 2017 Committee Meetings

The Governing Board's standing committees will meet to conduct regularly scheduled work based on agenda items planned for this Quarterly Board Meeting and follow-up items as reported in the Governing Board's committee meeting minutes available at *http://nagb.gov/what-we-do/board-committee-reports-and-agendas.html.*

Detailed Meeting Agenda: August 3–5, 2017

August 3: Committee Meetings

Assessment Development Committee (ADC): Open Session: 8:30 a.m. to 2:00 p.m.; Closed Session: 2:00 p.m. to 4:00 p.m.

Executive Committee: Open Session: 4:30 p.m. to 6:00 p.m.

August 4: Full Governing Board and Committee Meetings

Full Governing Board: Open Session: 8:30 a.m. to 10:00 a.m.; 12:30 p.m. to 4:45 p.m.

Committee Meetings

ADC: Closed Session: 10:00 a.m. to 12:15 p.m.

Committee on Standards, Design and Methodology (COSDAM): Open Session: 10:00 a.m. to 12:15 p.m.

Reporting and Dissemination (R&D): Open Session 10:00 a.m. to 12:15 p.m.

August 5: Full Governing Board and Committee Meetings

Nominations Committee: Closed Session: 7:30 a.m. to 8:15 a.m.

Full Governing Board: Open Session: 8:30 a.m. to 12:00 p.m.

On Thursday, August 3, 2017, ADC will meet in open session from 8:30 a.m. to 2:00 p.m. ADC will then meet in closed session from 2:00 p.m. to 4:00 p.m. to review secure cognitive items and digital-based tasks, including hybrid hands-on tasks, for the grade 8 NAEP assessments in Civics, U.S. History, and Geography, and the NAEP Science assessments at grades 4, 8, and 12. This meeting must be conducted in closed session because the test items and data are secure and have not been released to the public. Public disclosure of the secure test items would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of § 552b(c) of Title 5 of the United States Code.

On Thursday, August 3, 2017, the Executive Committee will convene in open session from 4:30 p.m. to 6:00 p.m. to discuss regularly scheduled business.

On Friday, August 4, 2017, the Governing Board will meet in open session from 8:30 a.m. to 9:40 a.m. The Governing Board will review and approve the August 3–5, 2017 Governing Board meeting agenda and meeting minutes from the May 2017

Quarterly Board Meeting. Thereafter, the Executive Director of the Governing Board, William Bushaw, will provide a progress report to Board members on implementation of the Strategic Vision, followed by an update from Peggy Carr, Acting Commissioner of the National Center for Education Statistics (NCES), on current NAEP activities underway at NCES.

The Governing Board will recess for a 20 minute break and convene for standing committee meetings which will take place from 10:00 a.m. to 12:15 p.m. Two of the standing committees—COSDAM and R&D—will meet in open session from 10:00 a.m. to 12:15 p.m., while the third standing committee—ADC—will meet in closed session from 10:00 a.m. to 12:15 p.m. to continue their review of review secure cognitive items and digital-based tasks, including hybrid hands-on tasks, for the grade 8 NAEP assessments in Civics, U.S. History, and Geography, and the NAEP Science assessments at grades 4, 8, and 12. This meeting must be conducted in closed session because the test items and data are secure and have not been released to the public. Public disclosure of the secure test items would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of § 552b(c) of Title 5 of the United States Code.

Following the committee meetings, the full Governing Board will meet in open session from 12:30 p.m. to 4:45 p.m.

Ms. Peggy Carr will provide an overview of the High School Transcript Study from 12:30 p.m. to 1:45 p.m. Then the Governing Board will recess for a 15 minute break and reconvene at 2:00 p.m. A panel discussion to discuss priorities for the NAEP Assessment Schedule will take place from 2:00 p.m. to 3:15 p.m. Thereafter, from 3:15 p.m. to 4:45 p.m., Chairman Terry Mazany will provide an overview of the breakout session goals, following which the Governing Board will convene in breakout sessions to discuss priorities for the NAEP Assessment Schedule vis-a-vis the Governing Board's Strategic Vision #9, which is to develop policy approaches to revise the NAEP assessment subjects and schedule. The August 4, 2017 session will adjourn at 4:45 p.m.

On August 5, 2017, the Nominations Committee will meet in closed session from 7:30 a.m. to 8:15 a.m. The committee chair will provide a briefing on the status of the 2017 slate of final candidates submitted to the Secretary and discuss plans for the 2018 nominations. The Nominations Committee's discussions pertain solely to internal personnel rules and practices of an agency and information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy. As such, the discussions are protected by exemptions 2 and 6 of § 552b(c) of Title 5 of the United States Code.

The Governing Board will meet in open session on August 5, 2017 from 8:30 a.m. to 9:15 a.m. to summarize the August 4 breakout discussions and discuss the Governing Board's priorities for the NAEP Assessment Schedule. From 9:15 a.m. to 10:00 a.m. the Governing Board will engage in discussion on the NAEP Framework Policy, Strategic Vision #5, which is to develop new approaches to update NAEP subject area frameworks. Thereafter the Governing Board will take a 15 minute break and reconvene from 10:15 a.m. to 11:00 a.m. to discuss the NAEP Achievement Level Setting Policy, Strategic Vision #5. From 11:00 a.m. to 11:30 a.m. the Governing Board will receive standing committee reports and take action on the election of the Governing Board's Vice Chair for the 2017–2018 term. The Governing Board will the hear remarks from departing members from 11:30 a.m. to 12:00 p.m.

The August 5, 2017 meeting will adjourn at 12:00 p.m.

Access to Records of the Meeting: Pursuant to FACA requirements, the public may also inspect the meeting materials at *www.nagb.gov* beginning on Monday, August 21, 2017 by 10:00 a.m. ET. The official verbatim transcripts of the public meeting sessions will be available for public inspection no later than 30 calendar days following the meeting.

Reasonable Accommodations: The meeting site is accessible to individuals with disabilities. If you will need an auxiliary aid or service to participate in the meeting (*e.g.,* interpreting service, assistive listening device, or materials in an alternate format), notify the contact person listed in this notice no later than 21 days prior to the meeting

Electronic Access to this Document: The official version of this document is the document published in the **Federal Register**. Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the Adobe Web site. You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Authority: Pub. L. 107–279, Title III—National Assessment of Educational Progress § 301.

Dated: July 11, 2017.

Lisa Stooksberry,

Deputy Executive Director, National Assessment Governing Board (NAGB), U.S. Department of Education.

[FR Doc. 2017–14816 Filed 7–13–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2680–113]

Consumers Energy Company; DTE Electric Company; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 2680–113.

c. *Date Filed:* June 28, 2017.

d. *Applicant:* Consumers Energy Company and DTE Electric Company (Consumers Energy and DTE Companies).

e. *Name of Project:* Ludington Pumped Storage Project.

f. *Location:* The existing project is located on the east shore of Lake Michigan in the townships of Pere Marquette and Summit, Mason County, Michigan and in Port Sheldon, Ottawa County, Michigan. The Ottawa County portion is a 1.8-acre satellite recreation site, located about 70 miles south of the project. The project does not affect federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* David McIntosh, Manager, Consumers Energy Company, Hydro and Renewable Generation, 330 Chestnut Street, Cadillac, MI 49601; Telephone (231) 779–5506, email—*David.McIntosh@cmsenergy.com.*

i. *FERC Contact:* Shana Wiseman, (312) 596–4468 or *shana.wiseman@ferc.gov.*

j. This application is not ready for environmental analysis at this time.

k. *The Project Description:* The Ludington Project is a pumped storage project that consists of: (1) An 842-acre upper reservoir with a gross storage capacity of 82,300 acre-feet at an elevation of 942 feet National Geodetic Vertical Datum (NGVD); (2) a concrete intake structure located in the upper reservoir; (3) six, 1,300-foot-long steel penstocks varying in diameter from 28.5 feet at the intake to 24 feet at the powerhouse; (4) a concrete powerhouse with six bays each housing a pump-turbine/motor-generator unit; (5) a lower reservoir (Lake Michigan) with a surface area of about 22,300 square miles and a mean depth of 279 feet; (6) two 1,600-foot-long jetties; (7) an approximately 1,700-foot-long breakwater located about 2,700 feet from the shore; and (8) appurtenant facilities. Additionally, a satellite recreation site (Pigeon Lake North Pier) is located about 70 miles south of the project. The recreation facility includes a parking area and a 4,600-foot-long boardwalk.

The existing Ludington Project is operated to generate during peak demand periods. Generation usually occurs during the day with the upper reservoir partially replenished at night during pumping. The project has an installed capacity of 1,785 megawatts with an average annual generation of approximately 2,624,189 megawatt hours.

l. *Locations of the Application:* A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for inspection and reproduction at the address in item (h) above.

m. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. Procedural Schedule:

The application will be processed according to the following preliminary Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Notice of Acceptance/Notice of Ready for Environmental Analysis.	September 2017.
Filing of recommendations, preliminary terms and conditions, and fishway prescriptions.	November 2017.
Commission issues Non-Draft Environmental Assessment (EA).	April 2018.
Comments on EA	May 2018.
Modified terms and conditions.	July 2018.

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: July 10, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–14819 Filed 7–13–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP17–467–000]

Columbia Gas Transmission, LLC: Notice of Request under Blanket Authorization

Take notice that on June 29, 2017, Columbia Gas Transmission, LLC (Columbia), 700 Louisiana St., Suite 700, Houston, Texas 77002 filed a prior notice request pursuant to sections 157.205 and 157.213(b) of the Commission's regulations under the Natural Gas Act for authorization to construct and operate two new storage wells at Columbia's Wellington Storage Field located in Lorain and Medina Counties, Ohio. Specifically, Columbia proposes to construct two new storage wells (Wellington Storage Well 12599 and 12600) that will provide a combined total of approximately 10 million cubic feet per day (MMcf/d) of restored deliverability to the Columbia system. The proposed wells will provide no change in the certificated physical parameters, including maximum reservoir pressure, reservoir and buffer boundaries, and certificated storage capacity, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing may also be viewed on the web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TTY, (202) 502–8659. Any questions regarding this Application should be directed to Robert D. Jackson, Manager, Certificates & Regulatory Administration, Columbia Gas Transmission, LLC, 700 Louisiana Street, Suite 700, Houston, Texas 77002, by phone (832) 320–5487, or by fax (832) 320–6487, or by email at *robert_jackson@transcanada.com.*

Any person may, within 60 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention. Any person filing to intervene or the Commission's staff may, pursuant to section 157.205 of the Commission's Regulations under the NGA (18 CFR 157.205) file a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive

copies of the environmental documents, and will be notified of meetings associated with he Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commentary, will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests, and interventions via the internet in lieu of paper. See 18 CFR 385.2001(a) (1) (iii) and the instructions on the Commission's Web site (*www.ferc.gov*) under the ''e-Filing'' link. Persons unable to file electronically should submit original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

Dated: July 10, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–14817 Filed 7–13–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Commission Staff Attendance

The Federal Energy Regulatory Commission (Commission) hereby gives notice that members of the Commission's staff may attend the following meetings related to the transmission planning activities of the New York Independent System Operator, Inc. (NYISO):

NYISO Operating Committee Meeting

July 13, 2017, 10:00 a.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=oc&directory=2017-07-13*

NYISO Electric System Planning Working Group and Transmission Planning Advisory Subcommittee Meeting

July 20, 2017, 10:00 a.m.–3:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=bic_espwg&directory=2017-07-20.*

NYISO Special Business Issues Committee Meeting

July 24, 2017, 1:00 p.m.–2:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=bic&directory=2017-07-24.*

NYISO Management Committee Meeting

July 26, 2017, 10:00 a.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=mc&directory=2017-007-26.*

NYISO Electric System Planning Working Group Meeting

July 27, 2017, 10:00 a.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=bic_espwg&directory=2017-07-27.*

The discussions at the meetings described above may address matters at issue in the following proceedings:

New York Independent System Operator, Inc., Docket No. ER13–102.

New York Independent System Operator, Inc., Docket No. ER15–2059.

New York Transco, LLC, Docket No. ER15–572.

For more information, contact James Eason, Office of Energy Market Regulation, Federal Energy Regulatory Commission at (202) 502–8622 or *James.Eason@ferc.gov.*

Dated: July 6, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–14818 Filed 7–13–17; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9034–2]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7146 or *http://www.epa.gov/nepa.*

Weekly receipt of Environmental Impact Statements (EISs)

Filed 07/03/2017 Through 07/07/2017

Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *http://www.epa.gov/compliance/nepa/eisdata.html.*

EIS No. 20170125, Draft Supplement, BR, CA, Los Vaqueros Reservoir Expansion Project, Comment Period Ends: 09/01/2017, Contact: Lisa Rainger 916 -978–5090.

EIS No. 20170126, Final, Caltrans, CA, Interstate 5/State Route 56 Interchange Project, Review Period Ends: 08/14/2017, Contact: Shay Lynn Harrison 619–688–0190.

EIS No. 20170127, Draft, USFWS, TX, Authorization of Incidental Take and Implementation of the Barton Springs/Edwards Aquifer Conservation District Habitat Conservation Plan, Comment Period Ends: 09/14/2017, Contact: Marty Tuegel 505–248–6651.

EIS No. 20170128, Final, USFS, AK, Wrangell Island Project, Review Period Ends: 08/14/2017, Contact: Andrea Slusser 907–874–2323.

EIS No. 20170129, Final, USACE, ND, Programmatic—Mouse River Enhanced Flood Protection Project, Review Period Ends: 08/14/2017, Contact: Derek Ingvalson 651–290–5252.

Dated: July 11, 2017.

Dawn Roberts,

Management Analyst, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2017–14826 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[Regional Docket Nos. V–2016–21, FRL–9964–48-Region 5]

Clean Air Act Operating Permit Program; Action on Petition for Objection to State Operating Permit for Waupaca Foundry Plants 2/3

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final Order on petition to object to Clean Air Act Title V operating permit.

SUMMARY: This document announces that the Environmental Protection Agency (EPA) Administrator has denied a petition from Philip Nolan asking EPA to object to a Title V operating permit issued by the Wisconsin Department of Natural Resources (WDNR) to Waupaca Foundry Plants 2/3 (Waupaca). Sections 307(b) and 505(b)(32) of the Clean Air Act (Act) provide that a petitioner may ask for judicial review of those portions of the petition that EPA denies in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

ADDRESSES: You may review copies of the final Order, the petition, and other supporting information at the EPA Region 5 Office, 77 West Jackson Boulevard, Chicago, Illinois 60604. If you wish to examine these documents, you should make an appointment at least 24 hours before the day you would like to visit. Additionally, the final Order for the Waupaca petition is available electronically at: *https://www.epa.gov/title-v-operating-permits/title-v-petition-database.*

FOR FURTHER INFORMATION CONTACT: Genevieve Damico, Chief, Air Permits Section, Air Programs Branch, Air and Radiation Division, EPA, Region 5, 77 West Jackson Boulevard AR–18J, Chicago, Illinois 60604, telephone (312) 353–4761.

SUPPLEMENTARY INFORMATION: The Act affords EPA a 45-day period to review and object, as appropriate, to Title V operating permits proposed by state permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of the EPA review period to object to a Title V operating permit if EPA has not done so. A petition must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise issues during the comment period, or the grounds for the issues arose after this period.

EPA received a petition dated December 1, 2016, from Philip Nolan (Petitioner) requesting that EPA object to the Title V operating permit for Waupaca. The Petitioner alleged that the permit is not in compliance with the requirements of the Act. Specifically, the Petitioner alleged that: (1) The permit does not comply with Section 112 of the Act and the National Emission Standard for Hazardous Air Pollutants for the iron and steel foundry industry and the definition of benzene, (2) actual emissions from the facility have created and sustained lethal hazardous air pollutant (HAP) concentrations in Waupaca County, (3) the WDNR mistakenly applied Chapter NR 445 requirements (Wisconsin's state HAP program), (4) the modeling procedures were not correct.

On June 7, 2017, the Administrator issued an Order denying the petition. The Order explains the reasons behind EPA's conclusion.

Dated: June 19, 2017.

Robert A. Kaplan,

Acting Regional Administrator, Region 5.

[FR Doc. 2017–14840 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2017–0231; FRL–9964–70–OAR]

Proposed Approval of the Central Characterization Project's Transuranic Waste Characterization Program at Los Alamos National Laboratory and Elimination of Distinction Between Retrievably-Stored and Newly-Generated Transuranic Waste Destined for Disposal at the Waste Isolation Pilot Plant

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability; request for public comments.

SUMMARY: The Environmental Protection Agency (EPA or the Agency) is announcing the availability of, and soliciting public comment on, two actions.

February 7–9, 2017, the Agency conducted a new baseline inspection of the Los Alamos waste characterization program, in accordance with the WIPP Compliance Criteria and Condition 3 of the EPA's May 13, 1998 initial WIPP certification. The inspection evaluated the technical adequacy of this program's characterization of contact-handled (CH) TRU debris and solid waste. The EPA is proposing to approve a new LANL baseline that includes the significant changes the U.S. Department of Energy's (DOE's) Central Characterization Program (CCP) is implementing at Los Alamos. The TRU waste characterization program changes, particularly to the Acceptable Knowledge process, referred to as ''enhanced AK'', address deficiencies identified by the DOE as among the root causes of the February 2014 radiation release at the WIPP. The EPA's baseline inspection report is available for review in the public dockets listed in the **ADDRESSES** section of this document. Until the EPA finalizes its baseline approval decision, the DOE Carlsbad Field Office (CBFO) may not recertify LANL–CCP's TRU waste characterization program and LANL–CCP may not ship any TRU waste to the WIPP for disposal.

The EPA is also proposing to eliminate the distinction between retrievably-stored and newly-generated TRU waste characterized to meet the EPA's regulatory requirements for disposal at the WIPP. Since the July 2004 revisions to the WIPP Compliance Criteria (specifically the site inspection and approval process), the EPA has identified characterization of newly-generated waste as a Tier 1 change when issuing the site-specific baseline approvals. Elimination of any Tier 1 change requirement is subject to public comment.

DATES: Comments must be received on or before August 28, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2017–0231, to the *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. The EPA may publish any comment received to its public docket. Do not electronically submit any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud or other file sharing system). For

additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit: *https://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Rajani Joglekar (202–343–9462) or Edward Feltcorn (202–343–9422), Radiation Protection Division, Center for Waste Management and Regulations, Mail Code 6608T, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, Washington, DC 20460; fax number: 202–343–2305; email address: *joglekar.rajani@epa.gov*; or *feltcorn.ed@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

The DOE operates the WIPP facility near Carlsbad in southeastern New Mexico as a deep geologic repository for disposal of TRU radioactive waste. TRU waste consists of waste generated as part of the DOE's weapons programs with radioactive materials having atomic numbers greater than 92 (with half-lives greater than twenty years), in concentrations greater than 100 nanocuries of alpha-emitting TRU isotopes per gram of waste. Much of the existing TRU waste, which may be contaminated with hazardous chemicals, consists of items contaminated during the production of nuclear weapons, such as debris waste—rags, equipment, tools and solid waste—sludges and soil.

Section 8(d)(2) of the WIPP Land Withdrawal Act (LWA) of 1992 provided that the EPA would certify whether the WIPP facility will comply with the Agency's final disposal regulations, later codified at 40 CFR part 191, subparts B and C. On May 13, 1998, the EPA announced its final compliance certification to the Secretary of Energy (published May 18, 1998; 63 FR 27354), certifying that the WIPP will comply with the disposal regulations. The EPA's certification of the WIPP was subject to various conditions, including conditions concerning quality assurance and waste characterization and relating, among other things, to EPA inspections, evaluations and approvals of the site-specific TRU waste characterization programs to ensure compliance with various EPA regulatory requirements, including those at 40 CFR 194.22(a)(2)(i), 194.22(c)(4), 194.24(c)(3) and 194.24(c)(5).

The EPA's inspection and approval processes for waste generator sites, including quality assurance and waste characterization programs, are described at 40 CFR 194.8. Between November 2005 and April 2012, the EPA inspected waste characterization programs of previously approved sites per the above requirements. The WIPP compliance certification and the aforementioned regulations, as well as these inspection and approval processes, give the EPA discretion in establishing technical priorities; the ability to accommodate variation in the site's waste characterization capabilities; and flexibility in scheduling site waste characterization inspections.

In accordance with the conditions in the WIPP compliance certification and relevant regulatory provisions, including 40 CFR 194.8, the EPA conducts ''baseline'' inspections at waste generator sites, as well as subsequent occasional inspections to confirm continued compliance. As part of a baseline inspection, the EPA evaluates each waste characterization process component (equipment, procedures and personnel training/experience) for its adequacy and appropriateness in characterizing TRU waste destined for disposal at the WIPP. During the inspection, the site demonstrates its capabilities to characterize TRU waste(s) and its ability to comply with the regulatory limits and tracking requirements under § 194.24. The baseline inspection can result in approval with limitations/conditions or may require follow-up inspection(s) before approval. The approval specifies what subsequent program changes or expansion should be reported to the EPA.

The EPA also assigns Tier 1 and Tier 2 designations to the reportable changes depending on their impact on the data quality. A Tier 1 designation requires that the site notify the EPA of proposed changes to the approved components of an individual waste characterization process (such as radioassay equipment or personnel), and that the Agency approve the change before it can be implemented. A waste characterization element with a Tier 2 designation allows the site to implement minor changes to the approved components of individual waste characterization processes (such as visual examination procedures) but requires notification to the EPA. The Agency may choose to inspect the site to evaluate technical adequacy before approval. The EPA inspections conducted to evaluate Tier 1 or Tier 2 changes are under the authority of the EPA's WIPP compliance certification conditions and the EPA regulations, including 40 CFR 194.8 and 194.24(h). In addition to follow-up inspections, the EPA may opt to conduct continued compliance inspections at TRU waste sites with a baseline approval under the authority of § 194.24(h).

In accordance with 40 CFR 194.8, the EPA issues a **Federal Register** action proposing a baseline compliance decision, dockets the inspection report for public review, and seeks public comment on the proposed decision for a minimum period of 45 days. The report describes the waste characterization processes the EPA inspected at the site, as well as their compliance with 40 CFR 194.8 and 194.24 requirements.

Currently, the CCP implements TRU waste characterization at three DOE sites: The Idaho National Laboratory, LANL and the Oak Ridge National Laboratory.

May 23–25, 2006, the EPA performed a baseline inspection for characterizing contact-handled TRU waste at Los Alamos, and, on June 21, 2007, issued its final baseline inspection report and approval of Los Alamos waste characterization processes. However, in February 2014, a radiation release occurred at the WIPP from a compromised drum containing contact-handled TRU sludge waste generated at Los Alamos that CCP characterized and certified as meeting the requirements for disposal. This drum contained nitrate salts, processed (treated to absorb free liquid using an organic material in mid-2013) and emplaced at the WIPP in late 2013. The DOE's Accident Investigation Board determined the cause of the radiation release was an exothermic reaction due to the use of incompatible, organic sorbent material instead of inorganic sorbents. The Investigation Board identified several programmatic and technical violations, including non-compliance with the New Mexico Environment Department (NMED) hazardous waste permit requirements. These findings required corrective actions by Los Alamos (the generator of WIPP-eligible TRU waste), the CCP (responsible for characterization and certification of WIPP-eligible waste containers), the DOE's Carlsbad Field Office (CBFO) and the DOE Headquarters Environmental Management office. The waste characterization-specific corrective actions required improvements in the following two technical areas:

- Collection, evaluation, documentation and verification of acceptable knowledge specific to the chemical contents of WIPP-bound TRU waste (especially chemical incompatibility and reactivity);
- evaluation and confirmation that waste treatment procedures completed to render containerized TRU waste

chemically-inert remain in compliance with NMED's Los Alamos-specific hazardous waste permit requirements and the WIPP Waste Acceptance Criteria.

Between summer 2014 and spring 2015, CBFO made changes to the WIPP Waste Acceptance Criteria (the DOE requirements for WIPP-bound TRU waste). In June 2015, the CBFO issued Revision 8.0 of the WIPP Waste Acceptance Criteria, modifying the Acceptable Knowledge process. This modified process is referred to as the Enhanced Acceptable Knowledge process. The EPA determined that the changes to the Waste Acceptance Criteria and the Enhanced Acceptable Knowledge process implemented at TRU generator sites are significantly different from the processes the EPA evaluated during previous site-specific baseline inspections. As a result, the EPA concluded and informed the DOE that a new Los Alamos baseline inspection and approval would be a necessary step to evaluate the technical adequacy of the CCP-implemented Enhanced Acceptable Knowledge process at currently active TRU waste generator sites.

II. Proposed Baseline Compliance Decision

I.

The purpose of EPA's baseline inspection was to:

(1) Verify that contact-handled TRU waste being characterized remains in compliance with regulatory requirements, including the conditions of the EPA's WIPP compliance certification and 40 CFR 194.8 and 194.24; and

(2) understand how the revised DOE WIPP Waste Acceptance Criteria are incorporated within CCP's TRU waste characterization processes.

The scope of the baseline inspection for determining technical adequacy of the waste characterization program elements (*i.e.,* systems of controls) as implemented included:

- The Acceptable Knowledge process, focusing on the ''Enhanced Acceptable Knowledge'' process for contact-handled TRU debris and solid waste.
- The nondestructive assay process, specifically, the High-Efficiency Neutron Counter No. 3 at Technical Area No. 55.
- The visual examination process to identify waste material parameters and the physical form of contact-handled TRU waste as performed at Technical Area No. 55 and the Chemistry and Metallurgy Research facility.
- The WIPP Waste Data System controls that are in place to ensure that only fully characterized and certified TRU waste containers can be emplaced at the WIPP.

The EPA inspection team identified no concerns as a result of this inspection. The EPA concludes that LANL–CCP has implemented a waste characterization program at Los Alamos for contact-handled TRU waste that is compliant with WIPP waste acceptance criteria, and which adequately implements the requirement for an Enhanced Acceptable Knowledge determination for WIPP-destined TRU waste containers. As discussed in the draft Los Alamos Baseline Inspection Report (see EPA Air Docket No. EPA–HQ–OAR–2017–0231), the EPA determines that the waste characterization program complies with regulatory requirements, including the conditions of EPA's WIPP compliance certification and 40 CFR 194.8 and 194.24. As a result, the EPA is proposing to approve the LANL–CCP waste characterization program in the configuration observed during this inspection, consistent with the limitations described in the draft inspection report. In the event of changes to the waste characterization program arising or occurring after the date of the baseline inspection (February 7–9, 2017), the DOE must report those changes and, if applicable, receive EPA approval of such changes according to Table 1, in this preamble. If the EPA approves changes to the waste characterization program, the Agency will post the results of any evaluations relating to such changes through the EPA Web site/docket and the WIPP–NEWS email listserv. As indicated in Table 1, in this preamble, LANL–CCP must report to EPA Tier 2 changes; such reports must be made four times a year, on a quarterly basis. In addition to evaluations of Tier 1 and Tier 2 changes, the EPA will conduct periodic inspections to verify that TRU waste characterization activities continue to comply with regulatory requirements, including the conditions of EPA's WIPP compliance certification and 40 CFR 194.8 and 194.24, and continue to implement the EPA-approved processes, procedures and equipment as required by the WIPP waste acceptance criteria.

The EPA's final approval decision regarding the contact-handled TRU waste characterization program at Los Alamos will be conveyed to the DOE separately by letter following the EPA's review of public comments. This information will be provided through the EPA Web site/docket and by emails to the WIPP–NEWS listserv.

TABLE 1—TIERING OF CONTACT-HANDLED TRANSURANIC WASTE CHARACTERIZATION PROCESSES IMPLEMENTED BY LANL–CCP

[Based on February 7–9, 2017 Baseline Inspection]

Process elements	LANL–CCP waste characterization process—T1 changes	LANL–CCP waste characterization process—T2 changes *
Acceptable Knowledge, including Load Management.	Characterization of SCG S4000 waste. Any implementation of payload management.	Submission of a list of active LANL–CCP CH AKEs and SPMs that performed work during the previous quarter. Notification to the EPA upon completion of or substantive modification ** to: • CCP–TP–005 forms (Attachments 6, 7, 8 and 9) and associated memoranda (i.e., WMP, AK–NDA, add-container memoranda). • AK accuracy reports (annually, at a minimum). • AK reassessment memoranda and Discrepancy Resolution Reports. • WSPFs and any associated change notices. • AKSRs.

TABLE 1—TIERING OF CONTACT-HANDLED TRANSURANIC WASTE CHARACTERIZATION PROCESSES IMPLEMENTED BY LANL–CCP—Continued

[Based on February 7–9, 2017 Baseline Inspection]

Process elements	LANL–CCP waste characterization process—T1 changes	LANL–CCP waste characterization process—T2 changes *
		• Site procedures requiring CBFO approval. • Enhanced AK documents such as AKAs (including addition of new figures), CCEMs and BOK memoranda.
Nondestructive Assay	New equipment or substantive physical modifications** to approved equipment. Extension of or changes to approved calibration ranges for approved equipment.	Submission of a list of LANL–CCP NDA operators, EAs and ITRs that performed work during the previous quarter. Notification to the EPA upon substantive modification ** to: • Software for approved equipment. • Operating ranges upon CBFO approval. • Site procedures requiring CBFO approval.
Real-Time Radiography	Any implementation of the real-time radiography process.	None.
Visual Examination	Implementation of any visual examination process for SCG S4000 waste.	Submission of a list of LANL–CCP VE operators, VE Experts and ITRs that performed work during the previous quarter. Notification to the EPA upon substantive modification** to site procedures requiring CBFO approval, including OSRP visual examination technique procedure.

* LANL–CCP will report all T2 changes to the EPA every three months.

** ''Substantive modification'' refers to a change with the potential to affect LANL–CCP's CH waste characterization processes or documentation of them, excluding changes that are solely related to the environment, safety and health; nuclear safety; or the Resource Conservation and Recovery Act; or that are editorial in nature or are required to address administrative concerns. The EPA may request copies of new references that DOE adds during a document revision.

III. Availability of the Baseline Inspection Report for Public Comment

I.

The EPA has placed the draft report discussing the results of the inspection of the waste characterization program at Los Alamos in the public docket as described in the **ADDRESSES** section of this document. In accordance with 40 CFR 194.8, the EPA is providing the public 45 days to comment on these documents and the EPA's proposed decision to accept the waste characterization program. The Agency requests comments particularly concerning the Enhanced Acceptable Knowledge process, a major significant change to address the DOE Accident Investigation Board findings. The EPA will accept public comments on this action and supplemental information as described in Section 1.B in this preamble. At the closing of the public comment period, EPA will evaluate all relevant public comments and, as the EPA may deem appropriate and necessary, revise the inspection report and the EPA's proposed decision or take other appropriate action. If the Agency concludes that there are no unresolved issues after the public comment period, the Agency will issue an approval letter and the final inspection report. The letter of approval will authorize the DOE to use the approved TRU waste characterization processes to characterize waste at Los Alamos. In addition, as discussed later in this preamble, the Tier 1 designation for newly-generated contact-handled waste will not remain in the new Los Alamos contact-handled TRU waste tiering table.

Information on the approval decision will be filed in the official public docket opened for this action on *https://www.regulations.gov,* Docket ID No. EPA–HQ–OAR–2017–0231 (as listed in the **ADDRESSES** section of this document).

IV. Eliminating Distinction for Retrievably-Stored and Newly-Generated TRU Waste

The DOE (in its original WIPP Waste Acceptance Criteria) and the NMED (in its 1999 WIPP Hazardous Waste Permit, including the WIPP Waste Analysis Plan [WAP]) identified the TRU waste characterized for WIPP disposal based on its generation time period as follows:

• Retrievably-stored waste was defined as:

—TRU mixed waste generated after 1970; and

—That generated before the NMED's notification to permittees indicating that the WIPP WAP-based characterization requirements are appropriately implemented at a generator/storage site.

• Newly-generated waste was defined as waste produced by the generator/storage site after NMED notification that it has appropriately implemented the NMED-approved WIPP WAP-based waste characterization requirements.

The EPA's original WIPP Performance Assessment and subsequent Compliance Recertification Application decisions incorporated the earlier distinction. Also, in connection with its certification of the WIPP's compliance with 40 CFR part 191, subparts B and C, the EPA discussed the distinction between these two categories (63 FR 27354, 27392; May 18, 1998). Additionally, the EPA incorporated the NMED's Waste Analysis Plan as part of the ''system of controls'' for characterizing WIPP-destined TRU waste for compliance with 40 CFR 194.24(c). Similarly, site-specific waste characterization programs maintained that distinction to remain in compliance with the DOE WAC identification of different characterization pathways. In 2013, NMED approved a hazardous waste permit modification request where AK remained as the sole characterization method for hazardous waste determination, which includes assigning RCRA hazardous waste numbers for chemical contents of the waste containers. This eliminated the need to use separate waste characterization pathways for newly-

generated and retrievably-stored waste and the WIPP Waste Acceptance Criteria was revised accordingly. Also, when characterizing these two categories of wastes, the same EPA-approved TRU waste characterization processes and procedures are used to characterize physical and radiological contents of each waste container, and, thus, there is no technical basis to maintain this distinction.

Pursuant to the 2004 rulemaking changes to 40 CFR 194.8 for all waste, the EPA required characterization of newly-generated waste as a T1 change under AK at all sites where its characterization was not demonstrated as part of the baseline inspections. The 2013 NMED WIPP hazardous waste permit changes discussed above negated this distinction. Therefore, to be consistent with the revised NMED hazardous waste permit and the DOE's revised WIPP Waste Acceptance Criteria, the EPA intends to no longer distinguish, in its waste characterization program inspection, review and evaluation activities, between newly-generated and retrievably-stored waste. Accordingly, the EPA is proposing to remove from the site-specific tiering tables the Acceptable Knowledge T1 change requirement for newly-generated waste at all sites characterizing TRU waste. This proposed action would streamline the need for the DOE to submit duplicative TRU waste approval requests and for subsequent duplicative EPA evaluation and approvals. The EPA seeks comment on this proposed action. After evaluating public comments, if the EPA concludes that there are no unresolved issues, the Agency will issue a letter authorizing the DOE to eliminate the distinction between retrievably-stored and newly-generated TRU waste. The Agency will also revise site-specific tiering tables as necessary to remove the existing Tier 1 change requirement for newly-generated TRU waste when issuing the next site-specific waste characterization program approval, as well as file all official documentation in its public docket (as described in Section IV in this preamble).

Dated: June 26, 2017.

Jonathan Edwards,

Director, Office of Radiation and Indoor Air.

[FR Doc. 2017–14833 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OLEM–2017–0368; FRL_9964–29–OLEM]

Hazardous Waste Electronic Manifest System (''e-Manifest'') Advisory Board; Notice of Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: There will be a three (3) day meeting of the Hazardous Waste Electronic Manifest System (''e-Manifest'') Advisory Board to consider and advise the Agency about the initial launch of the e-Manifest System (Meeting Theme: ''*Implementing e-Manifest: User Registration and Account Activation*'').

DATES: The meeting will be held on September 26–28, 2017, from approximately 9:00 a.m. to 5:00 p.m. EST.

Comments. The Agency encourages written comments be submitted on or before September 12, 2017, and requests for oral comments be submitted on or before September 19, 2017. However, written comments and requests to make oral comments may be submitted until the date of the meeting, but anyone submitting written comments after September 19, 2017, should contact the Designated Federal Official (DFO) listed under **FOR FURTHER INFORMATION CONTACT**. For additional instructions, see section I.C. of the **SUPPLEMENTARY INFORMATION**.

Webcast. This meeting may be webcast. Please refer to the e-Manifest Web site at *https://www.epa.gov/hwgenerators/hazardous-waste-electronic-manifest-system-e-manifest* for information on how to access the webcast. Please note that the webcast is a supplementary public service provided only for convenience. If difficulties arise resulting in webcasting outages, the meeting will continue as planned.

Special accommodations. For information on access or services for individuals with disabilities, and to request accommodation of a disability, please contact the DFO listed under **FOR FURTHER INFORMATION CONTACT** at least ten (10) days prior to the meeting to give the EPA as much time as possible to process your request.

ADDRESSES:

Meeting: The meeting will be held at the Environmental Protection Agency Conference Center, Lobby Level, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA 22202.

Comments. Submit your comments, identified by Docket ID No. EPA–HQ–OLEM–2017–0368 at *http://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*e.g.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Fred Jenkins, Designated Federal Officer (DFO), U.S. Environmental Protection Agency, Office of Resource Conservation and Recovery (MC: 5303P), 1200 Pennsylvania Avenue NW., Washington, DC 20460, Phone: 703–308–7049; or by email: *jenkins.fred@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general. This action may be of particular interest to persons who are or may be subject to the Hazardous Waste Electronic Manifest Establishment (e-Manifest) Act.

B. How may I participate in this meeting?

You may participate in this meeting by following the instructions in this document. To ensure proper receipt of your public comments by the EPA, it is imperative that you identify docket ID number EPA–HQ–OLEM–2017–0368.

1. *Written comments.* The Agency encourages written comments be submitted electronically via regulations.gov, using the instructions in the **ADDRESSES** *Comments* section on or before September 12, 2017, to provide the e-Manifest Advisory Board the time necessary to consider and review the written comments. Written comments are accepted until the date of the

meeting, but anyone submitting written comments after September 12, 2017, should contact the DFO listed under **FOR FURTHER INFORMATION CONTACT**. Anyone submitting written comments at the meeting should bring fifteen (15) copies for distribution to the e-Manifest Advisory Board.

2. *Oral comments.* The Agency encourages each individual or group wishing to make brief oral comments to the e-Manifest Advisory Board to submit their request to the DFO listed under **FOR FURTHER INFORMATION CONTACT** on or before September 19, 2017, in order to be included on the meeting agenda. Requests to present oral comments will be accepted until the date of the meeting. To the extent that time permits, the Chair of the e-Manifest Advisory Board may permit the presentation of oral comments at the meeting by interested persons who have not previously requested time. The request should identify the name of the individual making the presentation, the organization (if any) that the individual represents, and any requirements for audiovisual equipment. Oral comments before the e-Manifest Advisory Board are limited to approximately five (5) minutes unless prior arrangements have been made. In addition, each speaker should bring fifteen (15) copies of his or her comments and presentation for distribution to the e-Manifest Advisory Board at the meeting.

3. *Seating at the meeting.* Seating at the meeting will be open and on a first-come basis.

C. Purpose of the e-Manifest Advisory Board

The Hazardous Waste Electronic Manifest System Advisory Board is established in accordance with the provisions of the Hazardous Waste Electronic Manifest Establishment Act, 42 U.S.C. 6939g, and the Federal Advisory Committee Act (FACA), 5 U.S.C. App.2. The e-Manifest Advisory Board is in the public interest and supports the Environmental Protection Agency in performing its duties and responsibilities.

The e-Manifest Advisory Board will provide recommendations on matters related to the operational activities, functions, policies, and regulations of the EPA under the e-Manifest Act, including:

- The effectiveness of the e-Manifest IT system and associated user fees and processes;
- Matters and policies related to the e-Manifest program;
- Regulations and guidance as required by the e-Manifest Act;
- Actions to encourage the use of the electronic (paperless) system;
- Changes to the user fees as described in e-Manifest Act Section 2 (c)(3)(B)(i); and
- Issues in the e-Manifest area, including those identified in the EPA' s E-Enterprise strategy that intersect with the e-Manifest system, such as:
- Business-to-business communications;
- Performance standards for mobile devices; and
- The EPA's Cross Media Electronic Reporting Rule (CROMERR) requirements.

The sole duty of the Advisory Board is to provide advice and recommendations to the EPA Administrator. As required by the e-Manifest Act, the e-Manifest Advisory Board will be composed of nine (9) members. One (1) member will be the EPA Administrator (or a designee), who will serve as Chairperson of the Advisory Board. The rest of the committee will be composed of:

- At least two (2) members who have expertise in information technology;
- At least three (3) members who have experience in using or represent users of the manifest system to track the transportation of hazardous waste under the e-Manifest Act;
- At least three (3) members who will be state representatives responsible for processing e-manifests.

All members of the e-Manifest Advisory Board, with the exception of the EPA Administrator, will be appointed as Special Government Employees or representatives.

D. Public Meeting

The EPA is on schedule to launch the hazardous waste electronic manifest (e-Manifest) system in June 2018. Manifest users who intend to track their hazardous waste shipments electronically or access manifest data from the e-Manifest system should register with the EPA prior to system launch. The EPA will hold a three-day Federal Advisory Committee meeting on September 26–28, 2017, to address user registration and account activation issues that need resolution prior to launching the e-Manifest system. Specifically, the Advisory Board will provide recommendations to the EPA on the process the EPA should use to register and activate user accounts and electronic signature agreements (ESAs) for the e-Manifest System.

E. e-Manifest Advisory Board Documents and Meeting Minutes

The EPA's background paper, related supporting materials, charge/questions to the Advisory Board, the Advisory Board roster (*i.e.,* members attending this meeting), and the meeting agenda will be available by approximately late August 2017. In addition, the Agency may provide additional background documents as the materials become available. You may obtain electronic copies of these documents, and certain other related documents that might be available at *http://www.regulations.gov* and the e-Manifest Advisory Board Web site at: *https://www.epa.gov/hwgenerators/hazardous-waste-electronic-manifest-system-e-manifest.* The e-Manifest Advisory Board will prepare meeting minutes summarizing its recommendations to the Agency approximately ninety (90) days after the meeting. The meeting minutes will be posted on the e-Manifest Advisory Board Web site or may be obtained from the docket at *http://www.regulations.gov.*

Dated: June 15, 2017.

Barnes Johnson,

Director, Office of Resource Conservation and Recovery, Office of Land and Emergency Management.

[FR Doc. 2017–14866 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–R04–OAR–2016–0667; FRL–9960–41–Region 4]

Notice of Issuance and Notice of Rescission of Outer Continental Shelf Air Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final actions.

SUMMARY: This notice is to announce that the Environmental Protection Agency (EPA) issued a final Outer Continental Shelf (OCS) air permit numbered OCS–EPA–R4021 to Anadarko Petroleum Corporation (Anadarko) on December 20, 2016. In addition, the EPA is providing notice that, at the permittee's request, EPA rescinded an OCS permit numbered OCS–EPA–R4012 on March 23, 2016, for Statoil Gulf Services LLC (Statoil).

ADDRESSES: The final permits and supporting information are available at *https://www.epa.gov/caa-permitting/outer-continental-shelf-ocs-permit-activity-southeastern-us.* These materials are also available for review at the EPA Region 4 Office and upon request in writing. The EPA requests that you contact the person listed in the **FOR FURTHER INFORMATION CONTACT**

section to schedule an inspection of these materials or to submit a written request for copies of these materials. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Ms. Kelly Fortin, Air Permitting Section, Air, Pesticides and Toxics Management Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Ms. Fortin can be reached by phone at (404) 562–9117 and via electronic mail at *fortin.kelly@epa.gov.*

SUPPLEMENTARY INFORMATION: On November 14, 2016, EPA requested public comments on the proposed OCS air permit numbered OCS–EPA–R4021 for the Anadarko Bob Douglas project. During the public comment period, which ended on December 14, 2016, the EPA did not receive any comments.

After consideration of the pertinent federal statutes and regulations, the application and supplemental information submitted by the applicant, and additional material relevant to the application contained in the Administrative Record, the EPA made a final determination on December 20, 2016, in accordance with 40 CFR parts 55 and 71 to issue the final air permit. Because no comments were filed, the Anadarko permit became effective on December 20, 2016. *See* 40 CFR 71.11(i)(iii), 40 CFR 124.15(b)(3).

In addition, on December 29, 2015, EPA received a request from Statoil for EPA to rescind OCS permit OCS–EPA–R4012 as Statoil was no longer conducting exploratory drilling operations pursuant to this permit. Pursuant to Statoil's request and 40 CFR part 55, EPA terminated Statoil's OCS permit on March 23, 2016.

EPA must follow the administrative procedures of 40 CFR part 71 when issuing permits to OCS sources subject to Title V requirements such as the Anadarko and Statoil sources identified above. *See* 40 CFR 71.4(d). Prior to November 17, 2016, EPA was also required to follow the administrative procedures in 40 CFR part 124 used to issue Prevention of Significant Deterioration permits when processing OCS permit applications under Part 55, including OCS permit applications for sources subject to Title V requirements.[1] Under 40 CFR 124.19(l)(3) and 40 CFR 71.11(l)(7), notice of any final Agency action regarding a subject permit must be published in the **Federal Register**. Section 307(b)(1) of the Clean Air Act (CAA) provides for review of final Agency action that is locally or regionally applicable in the United States Court of Appeals for the appropriate circuit. Such a petition for review of final Agency action must be filed on or before 11:59 p.m. on the 60th day from the date of notice of such action in the **Federal Register**.

Dated: March 14, 2017.

Beverly H. Banister,

Director, Air, Pesticides, and Toxics, Management Division, Region 4.

Editorial note: This document was received for publication by the Office of the Federal Register on July 11, 2017.

[FR Doc. 2017–14838 Filed 7–13–17; 8:45 am]

BILLING CODE 6560–50–P

[1] Effective November 17, 2016, EPA must follow the applicable procedures of 40 CFR part 71 or part 124 in processing OCS permit applications under 40 CFR part 55. *See* 40 CFR 55.6(a)(3), 81 FR 71613 (October 18, 2016). Prior to this effective date, EPA was required to follow the applicable procedures of 40 CFR part 124 when processing such applications and also required to follow the procedures of 40 CFR part 71 when issuing permits to OCS sources subject to Title V requirements.

FEDERAL MARITIME COMMISSION

Agency Information Collection Activities; Information Collection Request

AGENCY: Federal Maritime Commission.

ACTION: Notice.

SUMMARY: The Federal Maritime Commission (Commission) is giving public notice that the agency has submitted to the Office of Management and Budget (OMB) for approval the information collection described in this notice. The public is invited to comment on the proposed information collections pursuant to the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted at the addresses below on or before August 14, 2017.

ADDRESSES: Comments should be addressed to: Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Federal Maritime Commission, 725—17th Street NW., Washington, DC 20503, *OIRA_Submission@OMB.EOP.GOV*, Fax (202) 395–6974, and to: Karen V. Gregory, Managing Director, Office of the Managing Director, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573, Telephone: (202) 523–5800, *omd@fmc.gov*.

FOR FURTHER INFORMATION CONTACT: A copy of the submission may be obtained by contacting Donna Lee on 202–523–5800 or email: *omd@fmc.gov.*

SUPPLEMENTARY INFORMATION:

Requests for Comments

Pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13), the Commission invites the general public and other Federal agencies to comment on a proposed information collection. On September 3, 2015, the Commission published a 60-day notice and request for comments in the **Federal Register** (80 FR 53310) regarding the agency's request for an approval from OMB for a new OMB control number as required by the Paperwork Reduction Act of 1995 (PRA). The Commission received no comments on the request for OMB clearance. The 60-day notice originally announced plans to submit a Generic Information Collection Request to OMB. However, after further consultation with OMB, the Commission gives notice of its plan to submit a request to approve a regular collection, and again invites comment on this information collection. The Commission solicits written comments from all interested persons about the proposed new OMB control number. The Commission specifically solicits information relevant to the following topics: (1) Whether the collection of information described below is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility; (2) whether the estimated burden of the proposed collection of information is accurate; (3) whether the quality, utility, and clarity of the information to be collected could be enhanced; and (4) whether the burden imposed by the collection of information could be minimized by use of automated, electronic, or other forms of information technology.

Information Collection Open for Comment

Title: Request for Dispute Resolution Service.

OMB Control Number: New.

Type of Review: Existing Collection in use without OMB control number.

Frequency of Response: On occasion.

Respondents/Affected Public: Companies or individuals seeking ombuds or mediation assistance from the Federal Maritime Commission's Office of Consumer Affairs and Dispute Resolution Services (CADRS).

Estimated Total Number of Potential Annual Responses: 689.

Estimated Total Number of Responses for Each Respondent: 1.

Estimated Total Annual Burden Hours per Response: 20 minutes.

Total Estimated Number of Annual Burden Hours: 227.

Abstract: As requested by the shipping public and the regulated industry, the Commission, through CADRS, provides ombuds and mediation services to assist parties in resolving international ocean cargo shipping or passenger vessel (cruise) disputes without resorting to litigation or administrative adjudication. These functions focus on addressing issues that members of the regulated industry and the shipping public may encounter at any stage of a commercial or customer dispute. In order to provide its ombuds and mediation services, CADRS needs certain identifying information about the involved parties, shipments, and nature of the dispute. In response to requests for assistance from the public, CADRS requests this information from parties seeking its assistance. The collection and use of this information on a cargo or cruise dispute is integral to CADRS staff's ability to efficiently review the matter and provide assistance. Aggregated information may be used for statistical purposes. Currently, this information is collected in a non-uniform manner in response to requests for CADRS assistance. *http://www.fmc.gov/resources/requesting_cadrs_assistance.aspx*

As required by the Administrative Dispute Resolution Act (ADRA), 5 U.S.C. 571–574, the information contained in these forms is treated as confidential and subject to the same confidentiality provisions as administrative dispute resolutions pursuant to 5 U.S.C. 574. Except as specifically set forth in 5 U.S.C. 574, neither CADRS staff nor the parties to a dispute resolution shall disclose any informal dispute resolution communication.

This information collection is subject to the PRA. The FMC may not conduct or sponsor a collection of information, and the public is not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Authority: 46 U.S.C. 40101 *et seq.*

Rachel Dickon,

Assistant Secretary.

[FR Doc. 2017–14760 Filed 7–13–17; 8:45 am]

BILLING CODE 6731–AA–P

FEDERAL MARITIME COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Federal Maritime Commission.

TIME AND DATE: July 19, 2017; 10:00 a.m.

PLACE: 800 N. Capitol Street NW., First Floor Hearing Room, Washington, DC.

STATUS: The first portion of the meeting will be held in Open Session; the second portion will be held in Closed Session.

MATTERS TO BE CONSIDERED:

Open Session

1. Controlled Carrier List Update

Closed Session

1. Staff Briefing on the West Coast MTO Discussion Agreement (FMC No. 201143)
2. Staff Briefing on the Transpacific Stabilization Agreement (FMC No. 011223)

CONTACT PERSON FOR MORE INFORMATION: Rachel E. Dickon, Assistant Secretary, (202) 523–5725.

Rachel E. Dickon

Assistant Secretary.

[FR Doc. 2017–14942 Filed 7–12–17; 4:15 pm]

BILLING CODE 6730–01–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0089; Docket No. 2017–0053; Sequence 3]

Information Collection; Request for Authorization of Additional Classification and Rate, Standard Form 1444

Correction

In notice document 2017–08670 appearing on pages 20340–20341 in the issue of May 1, 2017, make the following correction:

On page 20341, in the second column, under the heading **B. Annual Reporting Burden**, the fourth line down, ''*Review time per response:* 5.'' should read ''*Review time per response:* .5.''.

[FR Doc. C1–2017–08670 Filed 7–13–17; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–17–0909; Docket No. CDC–2017–0053]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This notice invites comment on the CDC information collection project titled ''CDC Diabetes Prevention Recognition Program (DPRP).'' This revision of DPRP Standards and Operating Procedures (*i.e.,* DPRP Standards)will allow continued collection of nationwide, de-identified data against the implementation of the National Diabetes Prevention Programs (National DPPs) using a set of evidence-based standards. CDC uses this data to effectively manage the DPRP.

DATES: Written comments must be received on or before September 12, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2017–0053 by any of the following methods:

- *Federal eRulemaking Portal: Regulations.gov*. Follow the instructions for submitting comments.
- *Mail:* Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *Regulations.gov,* including any personal information provided. For access to the docket to read background documents or comments received, go to *Regulations.gov*.

Please note: All public comment should be submitted through the Federal eRulemaking portal (regulations.gov) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329; phone: 404–639–7570; Email: *omb@cdc.gov*.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

Proposed Project

CDC Diabetes Prevention Recognition Program (DPRP) (OMB Control Number 0920–0909, exp. 12/31/2017)—Revision—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

CDC's Division of Diabetes Translation (DDT) established and administers the National DPP's Diabetes Prevention Recognition Program (DPRP), which recognizes organizations that deliver diabetes prevention programs according to evidence-based requirements set forth in the ''Centers for Disease Control and Prevention Recognition Program Standards and Operating Procedures'' (DPRP Standards). Additionally, the Centers for Medicare and Medicaid Services (CMS) Medicare Diabetes Prevention Program (MDPP) expansion of CDC's National DPP was announced in early 2016, when the Secretary of Health and Human Services determined that the Diabetes Prevention Program met the statutory criteria for inclusion in Medicare's expanded list of healthcare services for beneficiaries (*https://innovation.cms.gov/initiatives/medicare-diabetes-prevention-program/*). This is the first time a preventive service model from the CMS Innovation (CMMI) Center has been expanded. After extensive testing of the DPP model in 17 sites across the U.S. in 2014–2016, CMS proposed the MDPP in Sections 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh § 424.59), authorizing CDC-recognized organizations to prepare for enrollment as MDPP suppliers beginning in January 2018 in order to bill CMS for these services Only organizations in good standing with the CDC DPRP will be eligible as MDPP suppliers.

CDC requests an additional three-year OMB approval to continue collecting the information needed to administer the DPRP and information needed by CMS to support the MDPP benefit. Based on experience with the DPRP from 2011–2017, and feedback from applicant organizations and internal and external partners, CDC plans to revise the DPRP Standards and the associated information collection.

Key changes relate to incorporation of variables needed to ensure the seamless implementation of the CMS MDPP benefit. The majority of the additional data elements included in the current Standards revision are the result of new CMS requirements for MDPP suppliers. In particular, CMS is requiring de-identified participant-level data submission every 6 months. While data submissions every 6 months are included to align with the CMS MDPP supplier requirements, this change will also benefit organizations that are not MDPP suppliers, as it will allow them to receive more feedback in an effort to make necessary mid-course corrections and successfully achieve either preliminary or full recognition status. Semiannual evaluation of organization performance was part of the initial 2011 OMB approval for CDC's DPRP information collection.

One data element has been revised and eleven additional data elements have been added in either the one-time application form or within the evaluation data elements:

Application Form

(1) Class Type (revised)
(2) Organization Type (new)
(3) Lifestyle Coach Training Entity (new)
(4) CDC Grantee (yes/no) (new)

Evaluation Data Elements

(6) Participant's Education (new)
(7) Delivery Mode (new)
(8) Session ID (new)
(9) Session Type (new)
(10) Lifestyle Coach Medicare National Provider Identification Number as Supplied by CMS (new)
(11) Enrollment Source (new)
(12) Payer Type (new)

Additional changes to the DPRP Standards or DPRP information collection may be requested during the period of the Revision request, as CDC continues discussions with recognized programs and potential applicants and reviews results from ongoing studies.

During the period of this Revision, CDC estimates receipt of approximately 500 DPRP application forms per year. The estimated burden per one-time, up-front application response is 1 hours (annualized to 500 hours one-time across all new organizations). In addition, CDC estimates receipt of semi-annual evaluation data submissions from the same 500 additional organizations per year; estimated at 2 hours per response. The total estimated average annualized evaluation burden to respondents is 7,676 hours. This includes an estimate of the time needed to extract and compile the required data records and fields from an existing electronic database, review the data, create or enter a data file in the required format (*i.e.,* CSV file), and submit the data file via the National DPP Web site. The estimated burden per response is modest since the information requested

for DPRP recognition is routinely collected by most organizations that deliver lifestyle change programs for their own internal evaluation and possible insurance reimbursement purposes, including Medicare under the forthcoming MDPP benefit. Participation in the DPRP is voluntary, data are de-identified, no Personally Identifiable Information is collected by CDC, and there are no costs to respondents other than their time. CDC seeks to request a three-year approval.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Avg. burden per response (in hours)	Total burden (in hours)
Public sector organizations that deliver type 2 diabetes prevention programs.	DPRP Application Form	150	1	1	150
	DPRP Evaluation Data	350	2	2	1,400
Private sector organizations that deliver type 2 diabetes prevention programs.	DPRP Application Form	350	1	1	350
	DPRP Evaluation Data	1,444	2	2	5,776
Total					7,676

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2017–14792 Filed 7–13–17; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–17–17AMO; Docket No. CDC–2017–0054]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing efforts to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This notice invites comments on a proposed information collection project titled ''Assessment of Restaurant Ill Worker Policies.''

DATES: Written comments must be received on or before September 12, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2017–0054 by any of the following methods:

- *Federal eRulemaking Portal: Regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *Regulations.gov*, including any personal information provided. For access to the docket to read background documents or comments received, go to *Regulations.gov*.

Please note: All public comment should be submitted through the Federal eRulemaking portal (*Regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329; phone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to

transmit or otherwise disclose the information.

Proposed Project

Assessment of Ill Worker Policies Study—NEW—National Center for Environmental Health (NCEH), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention (CDC) is requesting a new three-year Paperwork Reduction Act (PRA) clearance to conduct information collection entitled ''Assessment of Ill Worker Policies Study.''

CDC's National Center for Environmental Health implements the Environmental Health Specialists Network (EHS-Net) program, which conducts studies to identify and understand environmental factors associated with foodborne illness outbreaks and other food safety issues (*e.g.,* ill food workers). These data are essential to environmental public health regulators' efforts to respond more effectively to and prevent future outbreaks by identifying underlying causes and intervention strategies.

EHS-Net is a collaborative project of the CDC, the U.S. Food and Drug Administration (FDA), the U.S. Department of Agriculture (USDA), industry partners and eight state and local public health departments (California, Minnesota, New York, New York City, Rhode Island, Tennessee, Southern Nevada Health District, and Harris County Texas). CDC funds these state and local health departments, which enables them to collaborate on study design, collect study data, and co-analyze study data with CDC. The federal partners also provide funding and input into study design and data analysis.

Ill food service workers have long been identified as a source of contamination in restaurants. The 2013 FDA Food Code specifically addresses food worker health under section 2–201. However, even with these regulations in place food workers continue to serve as a source for disease transmission (*e.g.,* Norovirus).

The FDA Food Code calls for excluding food workers from working in the restaurant that are diagnosed with an illness or have symptoms. Research has indicated that many food service workers have reported working while sick and that the reasons provided are multi-faceted. To assist in reducing this national disease burden, it is critical to develop and implement successful interventions that address the reasons that restaurant workers continue to work while sick. The goals of this study include:

(1) Assess the knowledge, attitudes and practices of both restaurant managers and workers to working while ill; and

(2) Assess whether an educational intervention will result in restaurants enhancing their ill worker management procedures.

The data from this study can be used to further develop educational materials, trainings, and tools that are targeted towards improving retail food establishment ill worker management practices. This improvement can contribute to a decrease in the number of food service workers that continue to work while ill in retail food establishments and a subsequent decrease in the contamination of foodstuffs from the ill worker.

This data collection request aims to address data gap by surveying restaurants on their ill worker polices through a quasi-experimental non-equivalent group pre- post-test design, with implementation of an educational intervention to randomly selected independently-owned restaurants in the catchment area. The assessments at each site visit will be the same in both the intervention and control restaurants. Data collection will consist of a manager interview to understand the current practices in the restaurant, a facility observation to observe the practices in place to prevent contamination from an employee, and a food worker survey to obtain their beliefs towards the current policies.

The educational intervention planned in the study is designed to encourage restaurants to develop ill worker management policies that have provisions to address the reasons that workers have reported working while ill. The efficacy of the intervention will be measured using a pre- post-test non-equivalent groups design.

If the intervention is resulting in having restaurants enhance their ill worker management policies; at the follow up visit, the intervention will be provided to the control restaurants and an additional follow up visit will occur in these restaurants.

For the purpose of the burden hours, eight sites will collect data in 40 restaurants. The total estimated annualized burden hours averaged over the three-year study period are 200 burden hours. Participation in this proposed information collection is completely voluntary. There is no cost to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Restaurant Managers	Manager Recruiting Script	237	1	3/60	12
Restaurant Managers (Intervention Restaurants).	Manager Informed Consent and Interview.	53	1	20/60	18
Restaurant Managers (Intervention Restaurants).	Guide to Developing a Restaurant Ill Worker Management Plan.	53	1	30/60	27
Food Workers (Intervention Restaurants).	Food Worker Informed Consent and Survey.	267	1	5/60	22
Health Department Workers (Intervention Restaurants).	Restaurant Observation Form	53	1	30/60	27
Restaurant Managers (Control Restaurants).	Manager Informed Consent and Interview.	53	1	20/60	18
Restaurant Managers (Control Restaurants).	Guide to Developing a Restaurant Ill Worker Management Plan.	53	1	30/60	27
Food Workers (Control Restaurants)	Food Worker Informed Consent and Survey.	267	1	5/60	22
Health Department Workers (Control Restaurants).	Restaurant Observation Form	53	1	30/60	27

ESTIMATED ANNUALIZED BURDEN HOURS—Continued

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Total					200

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2017–14791 Filed 7–13–17; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Docket No. CDC–2017–0059]

Notice of Intent To Prepare an Environmental Impact Statement, Public Scoping Meeting, and Request for Comments; Acquisition of Site for Development as a New Consolidated Campus for the Centers for Disease Control and Prevention/National Institute for Occupational Safety and Health (CDC/NIOSH) in Cincinnati, Ohio

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of intent; announcement of public meeting; and request for comments.

SUMMARY: The Centers for Disease Control and Prevention (CDC) within the Department of Health and Human Services (HHS), in cooperation with the General Services Administration (GSA), announces its intent to prepare an Environmental Impact Statement (EIS) to analyze and assess the environmental impacts of the proposed acquisition of a site in Cincinnati, Ohio, and the development of this site into a new consolidated CDC/National Institute for Occupational Safety and Health (NIOSH) campus (Proposed Action). The site being considered for acquisition and development is bounded by Martin Luther King Drive East to the south, Harvey Avenue to the west, Ridgeway Avenue to the north, and Reading Road to the east.

This notice is pursuant to the requirements of the National Environmental Policy Act of 1969 (NEPA) as implemented by the Council on Environmental Quality (CEQ) Regulations (40 CFR parts 1500–1508). CDC, in cooperation with GSA, also intends to initiate consultation, as required by Section 106 of the National Historic Preservation Act (NHPA), to evaluate the potential effects, if any, of the Proposed Action on historic properties.

DATES:

Public Scoping Meeting: A public scoping meeting in open house format will be held on August 1, 2017, in Cincinnati, Ohio. The meeting will begin at 6:00 p.m. and end no later than 9:00 p.m.

Written comments: Written scoping comments must be submitted by August 14, 2017.

Deadline for Requests for Special Accommodations: Persons wishing to participate in the public scoping meeting who need special accommodations should contact Harry Marsh at 770–488–8170 by 5:00 p.m. Eastern Time, July 26, 2017.

ADDRESSES: The public scoping meeting will be held at the Walnut Hills High School, 3250 Victory Parkway, Cincinnati, Ohio 45207. Attendees should use the Parking Lot D entrance.

You may submit comments identified by Docket No. CDC–2017–0059 by either of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov* (Follow the instructions for submitting comments).
- *U.S. Mail:* Harry Marsh, Architect, Office of Safety, Security and Asset Management (OSSAM), Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–K80, Atlanta, Georgia 30329–4027.

Instructions: All submissions must include the agency name and Docket Number. All relevant comments received will be posted to *http://www.regulations.gov* (personally identifiable information, except for first and last names, will be redacted). For access to the docket to review background documents or comments received, go to *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Harry Marsh, Architect, Office of Safety, Security and Asset Management (OSSAM), Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–K80, Atlanta, Georgia 30329–4027, phone: (770) 488–8170, or email: *cdc-cincinnati-eis@cdc.gov.*

SUPPLEMENTARY INFORMATION:

Background: CDC is dedicated to protecting health and promoting quality of life through the prevention and control of disease, injury, and disability. NIOSH, one of CDC's Centers, Institute, and Offices, was established by the Occupational Safety and Health Act of 1970. NIOSH plans, directs, and coordinates a national program to develop and establish recommended occupational safety and health standards; conduct research and training; provide technical assistance; and perform related activities to assure safe and healthful working conditions for every working person in the United States.

Three NIOSH research facilities—the Robert A. Taft Campus, Taft North Campus, and the Alice Hamilton Laboratory Campus—currently are located in Cincinnati, Ohio. Even with multiple renovations through the years, these facilities no longer meet the needs of modern research. The facilities' deficiencies adversely affect NIOSH's ability to conduct its important Cincinnati-based occupational safety and health research. The facilities' outdated designs create health and safety challenges for NIOSH laboratory employees and administrative staff. It is not possible to renovate the facilities located on the three campuses to meet current standards and requirements. Additionally, the current distribution of NIOSH activities across separate campuses results in inefficiencies in scientific collaboration and the duplication of operational support activities. Therefore, CDC is proposing to relocate and consolidate its Cincinnati-based functions and personnel (approximately 550 employees) currently housed at the three existing campuses to a new, consolidated campus in Cincinnati.

Potential locations for the proposed new campus were identified through a comprehensive site selection process conducted by GSA on behalf of CDC. In June 2016, GSA issued a Request for Expressions of Interest (REOI) seeking potential sites capable of accommodating the proposed new

campus. The REOI specified minimum and additional functional, geographical, and environmental criteria that would be used to evaluate sites for suitability. In particular, candidate sites were to be from 10 to 17 acres in size and located in Cincinnati, within a certain area (Delineated Area) defined by factors such as transportation infrastructure, proximity to other research facilities, and the residence patterns of current NIOSH employees.

In response to the REOI, GSA received seven expressions of interest (*i.e.,* Solicited Sites). Following an assessment of each site based on the minimum and additional criteria, GSA found that only one site qualified for further consideration. During this screening and assessment process, GSA identified one additional site (*i.e.,* Unsolicited Site) that was added to the qualifying Solicited Site to create a larger parcel better capable of supporting the development of the proposed campus. The resulting combined site (*i.e.,* the Site) encompasses all land between Martin Luther King Drive East to the south, Harvey Avenue to the west, Ridgeway Avenue to the north, and Reading Road to the east in Cincinnati, Ohio. All other Solicited Sites were eliminated from further consideration because they did not adequately meet the selection criteria specified in the REOI or, in one case, were withdrawn from consideration by the offeror.

In accordance with NEPA, as implemented by the CEQ regulations (40 CFR parts 1500–1508), CDC is initiating the preparation of an EIS for the proposed acquisition of the Site and construction of a new consolidated CDC/NIOSH campus on the Site. Under NEPA, Federal agencies are required to evaluate the environmental effects of their proposed actions and a range of reasonable alternatives to the proposed action before making a decision. At a minimum, the EIS will evaluate the following two alternatives: the Proposed Action Alternative (acquisition of the Site and construction of a new consolidated CDC/NIOSH campus) and the No Action Alternative (continued use of the existing campuses for the foreseeable future).

Scoping Process: In accordance with NEPA, a public scoping process will be conducted to establish the range of issues to be addressed during the preparation of the EIS. Scoping is an early and open process for determining the scope of issues to be addressed and identifying issues that should be taken into account in selecting an alternative for implementation. To that end, during the scoping process, CDC will actively seek input from interested people, organizations, Federally-recognized Native American tribes, and Federal, state, and regional agencies.

The purpose of this Notice is to inform interested parties regarding CDC's plan to prepare an EIS for the proposed Site acquisition in Cincinnati, Ohio and the development of the Site into a new consolidated HHS/CDC/NIOSH campus; to provide information on the nature of the Proposed Action; and to initiate the scoping process. The public scoping meeting will be held on August 1, 2017 at the Walnut Hills High School, 3250 Victory Parkway, Cincinnati, Ohio 45207, from 6:00 p.m. to 9:00 p.m. Eastern Time. Attendees should use the Parking Lot D entrance. The public scoping meeting will be in open house format. General information on the Site and the Proposed Action will be provided and representatives of CDC and GSA will be available to answer one-on-one questions. There will be no formal presentation or question-and-answer session. Participants may arrive at any time between 6:00 p.m. and 9:00 p.m. Eastern Time. Comment forms will be provided for written comments and a stenographer will be available to transcribe oral comments. Through the NEPA scoping process, CDC will also facilitate consultation with the public as required by Section 106 of the NHPA.

Dated: July 6, 2017.

Sandra Cashman,

Executive Secretary, Centers for Disease Control and Prevention.

[FR Doc. 2017–14474 Filed 7–13–17; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–17–1140]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The notice for the proposed information collection is published to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address any of the following: (a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) Enhance the quality, utility, and clarity of the information to be collected; (d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570 or send an email to *omb@cdc.gov.* Written comments and/or suggestions regarding the items contained in this notice should be directed to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395–5806. Written comments should be received within 30 days of this notice.

Proposed Project

Zika virus persistence in body fluids of patients with Zika virus infection in Puerto Rico (ZIPER Study) (OMB Control Number 0920–1140, Expiration Date 10/31/2017)—Revision—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

CDC is seeking a one-year OMB approval to extend the ZIPER Study information collection.

The Zika Persistence (ZIPER) study will help inform the presence and duration of ZIKV shedding in several body fluids among RT–PCR-positive ZIKV cases from Puerto Rico. It will also provide information regarding the duration of detection of anti-ZIKV IgM antibodies and the time for development of IgG antibodies among the same population. In addition, this study will determine the prevalence of anti-ZIKV IgM and IgG, and virus shedding in body fluids among household contacts of ZIKV cases.

We propose to investigate the persistence (shedding) of ZIKV in different body fluids and its relation to

immune response to provide a basis for development of non-blood-based diagnostic tools, and target and refine public health interventions to arrest ongoing spread of infection. To do so, we will conduct a prospective cohort study of individuals with reverse transcription-polymerase chain reaction (RT–PCR) positive ZIKV infection and a cross-sectional study of their household contacts. Results and analyses will be used to update relevant counseling messages and recommendations from the CDC.

The study will include baseline and follow-up questionnaires and the collection of the following specimens: blood, saliva, urine from participants of all ages, and semen/vaginal secretions from adults (ages 21 years or older) and legally emancipated minors (support themselves financially, live independent of their parents, are pregnant, or have children).

Individuals with RT–PCR positive ZIKV infection will be recruited through the Sentinel Enhanced Dengue Surveillance System (SEDSS) at Saint Luke's Episcopal Hospital in Ponce, Puerto Rico and through passive surveillance in selected municipalities in Puerto Rico. SEDSS was established in 2012 through a cooperative agreement between the hospital in Consortium with the Ponce School of Medicine and Ponce Research Institute from the Ponce Health Sciences University and the CDC (Protocol #6214).

Specimens will be tested for the presence of ZIKV RNA by RT–PCR at the CDC Dengue Branch Laboratory in San Juan, and positive specimens will be further tested for virus isolation to evaluate infectivity. Each body fluid will be collected on a weekly basis for four weeks and biweekly thereafter until two consecutive negative RT–PCR results are obtained from all specimens. Irrespective of RNA detection, body fluids will also be collected for RT–PCT at 2, 4, and 6 months to investigate intermittent shedding. Analyses of antibody response through titers of IgM and IgG will be performed at baseline and repeated at 2, 4, and 6 months.

Among symptomatic participants seven milliliters of blood will be drawn at each study visit split into a tiger top tube (5ml) and a purple top tube (2ml) for a total not to exceed 50 ml during any given 8-week period. At enrollment healthy non-pregnant adults will have 20 ml of blood collected following standard procedures. Two tiger top tubes of 8.5 ml and one 3ml purple top tubes will be collected. These procedures will be repeated at each follow-up visit.

RT–PCR-positive participants will be asked to refer up to five household members to establish the percentage of household members with detectable and potentially infectious Zika virus RNA in body fluids. Household members who are found to be ZIKV RT–PCR-positive in any body fluid will be invited to participate in the cohort study. A second study visit will be scheduled with household contact at 2 or 4 months, to detect new infections and estimate incidence. Because the original study consent forms do not include this visit, household contacts will be contacted by study staff and will be consented again using the same consent form.

Since gaining OMB approval in October 2016, the project has enrolled 295 Zika virus-infected individuals into the Zika virus Persistence study, which is 55 individuals below the target enrollment of 350 individuals.

Preliminary findings have been published in New England Journal of Medicine, where we also expect that the final report that includes the full sample size will be published.

This is a request to continue information collection with minor modifications. Modifications have been made to reflect the developing nature of the science surrounding Zika virus infection and potential outcomes associated with infection, as well as additional questions that were best answered by taking advantage of the existing study platform. Specifically, CDC proposes the addition of two components to the collection of data under this study, one of which has already begun:

1. A follow-up household visit has been added to determine how many household members of Zika virus-infected participants become infected during the 4 months following initial screening. For any household members that had no evidence of Zika virus infection at the initial visit, the same questionnaires used at the initial household visit will again be completed ~4 months later. Such information will provide additional information regarding the incidence of Zika virus infections among households with a Zika-positive household member.

2. Additionally, CDC proposes following up with men with Zika virus-positive semen specimens to better understand the effect of Zika virus infection on sperm. To do this, 8–14 semen ejaculates from 10–20 men participating in the ZIPER study will be used to determine the presence and/or detection of the Zika virus in different fractions of the semen ejaculate (*i.e.,* seminal plasma, cellular debris, including White Blood Cells and spermatozoa). CDC has received Institutional Review Board approval for this modification, but information collection has not begun.

Authorizing legislation comes from Section 301 of the Public Health Service Act (42 U.S.C. 241). The total estimated annualized number of burden hours is 243. There is no cost to respondents other than the time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Public health personnel	Shedding Questionnaire	18	30	15/60
General public	Shedding Questionnaire (Symptomatics)	55	8	10/60
	Shedding Questionnaire (Cross-Sectional Asymptomatics).	100	1	10/60
	Questionnaire for men in Semen sub-study	30	1	20/60
	Shedding Eligibility Form	160	1	2/60
	Contact Information Form	32	1	2/60

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2017–14790 Filed 7–13–17; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2007–D–0369]

Product-Specific Guidances; Draft and Revised Draft Guidances for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of additional draft and revised draft product-specific guidances. The guidances, when finalized, provide product-specific recommendations on, among other things, the design of bioequivalence (BE) studies to support abbreviated new drug applications (ANDAs). In the **Federal Register** of June 11, 2010, FDA announced the availability of a guidance for industry entitled ''Bioequivalence Recommendations for Specific Products'' that explained the process that would be used to make product-specific guidances available to the public on FDA's Web site. The guidances identified in this notice were developed using the process described in that guidance.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the Agency considers your comment on a draft guidance announced in this notice before it begins work on the final version of the guidance, submit either electronic or written comments on the draft guidance by September 12, 2017.

ADDRESSES: You may submit comments as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2007–D–0369 for ''Product-Specific Guidances; Draft and Revised Draft Guidances for Industry.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Xiaoqiu Tang, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 4730, Silver Spring, MD 20993–0002, 301–796–5850.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of June 11, 2010 (75 FR 33311), FDA announced the availability of a guidance for industry entitled ''Bioequivalence Recommendations for Specific Products'' that explained the process that would be used to make product-specific guidances available to the public on FDA's Web site at *http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm.*

As described in that guidance, FDA adopted this process as a means to develop and disseminate product-specific guidances and provide a meaningful opportunity for the public to consider and comment on those guidances. Under that process, draft guidances are posted on FDA's Web site

and announced periodically in the **Federal Register**. The public is encouraged to submit comments on those recommendations within 60 days of their announcement in the **Federal Register**. FDA considers any comments received and either publishes final guidances or publishes revised draft guidances for comment. Guidances were last announced in the **Federal Register** on May 17, 2017 (82 FR 22668). This notice announces draft product-specific guidances, either new or revised, that are posted on FDA's Web site.

II. Drug Products for Which New Draft Product-Specific Guidances Are Available

FDA is announcing the availability of a new draft product-specific guidance for industry for drug products containing the following active ingredients:

TABLE 1—NEW DRAFT PRODUCT-SPECIFIC GUIDANCES FOR DRUG PRODUCTS

Aspirin.
Aspirin; omeprazole.
Brexpiprazole.
Brivaracetam.
Cefdinir.
Clocortolone pivalate.
Cyanocobalamin.
Dasabuvir sodium; Ombitasvir; Paritaprevir; Ritonavir.
Dextroamphetamine sulfate.
Diclofenac sodium.
Fluphenazine hydrochloride.
Gentamicin sulfate.
Glycopyrrolate.
Obeticholic acid.
Silver sulfadiazine.
Tenofovir alafenamide fumarate.
Tiopronin.
Tipiracil hydrochloride; Trifluridine.
Triamcinolone acetonide (multiple reference listed drugs).
Uridine triacetate.

III. Drug Products for Which Revised Draft Product-Specific Guidances Are Available

FDA is announcing the availability of a revised draft product-specific guidance for industry for drug products containing the following active ingredients:

TABLE 2—REVISED DRAFT PRODUCT-SPECIFIC GUIDANCES FOR DRUG PRODUCTS

Brimonidine tartrate.
Dabigatran etexilate mesylate.
Dorzolamide hydrochloride.
Gefitinib.
Latanoprost.
Methoxsalen.
Metoprolol tartrate.
Minocycline HCl (multiple reference listed drugs).
Minoxidil.
Pimozide.
Propafenone hydrochloride.
Tetrabenazine.

For a complete history of previously published **Federal Register** notices related to product-specific guidances, go to *https://www.regulations.gov* and enter Docket No. FDA–2007–D–0369.

These draft guidances are being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). These draft guidances, when finalized, will represent the current thinking of FDA on, among other things, the product-specific design of BE studies to support ANDAs. They do not establish any rights for any person and are not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

IV. Electronic Access

Persons with access to the Internet may obtain the draft guidances at either *http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm* or *https://www.regulations.gov*.

Dated: July 10, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–14781 Filed 7–13–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Spinal Cord Injury, Epilepsy, and Other Neurological Disorders.

Date: August 3–4, 2017.

Time: 9:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Samuel C. Edwards, Ph.D., Chief, Brain Disorders and Clinical Neuroscience, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5210, MSC 7846, Bethesda, MD 20892, (301) 435–1246, *edwardss@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Glioblastoma, Multiple Sclerosis.

Date: August 4, 2017.

Time: 11:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Samuel C. Edwards, Ph.D., Chief, Brain Disorders and Clinical Neuroscience, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5210, MSC 7846, Bethesda, MD 20892, (301) 435–1246, *edwardss@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: July 10, 2017.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–14751 Filed 7–13–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Advisory Mental Health Council.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and/or contract proposals and the

discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications and/or contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Mental Health Council.

Date: August 2, 2017.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Jean G. Noronha, Ph.D., Director, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6154, MSC 9609, Bethesda, MD 20892–9609, 301–443–3367, *jnoronha@mail.nih.gov.*

Information is also available on the Institute's/Center's home page: *www.nimh.nih.gov/about/advisory-boards-and-groups/namhc/index.shtml.,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: July 10, 2017.

Melanie A. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–14752 Filed 7–13–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director Notice of Charter Renewal

In accordance with Title 41 of the U.S. Code of Federal Regulations, Section 102–3.65(a), notice is hereby given that the Charter for the Sickle Cell Disease Advisory Council (SCDAC) was renewed for an additional two-year period on June 30, 2017.

It is determined that the SCDAC is in the public interest in connection with the performance of duties imposed on the National Institutes of Health by law, and that these duties can best be performed through the advice and counsel of this group.

Inquires may be directed to Jennifer Spaeth, Director, Office of Federal Advisory Committee Policy, Office of the Director, National Institutes of Health, 6701 Democracy Boulevard, Suite 1000, Bethesda, Maryland 20892 (Mail Code 4875), Telephone (301) 496–2123, or *spaethj@od.nih.gov.*

Dated: July 10, 2017.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–14750 Filed 7–13–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the information collection plans, call the SAMHSA Reports Clearance Officer at (240) 276–1243.

Comments are invited on: (a) Whether the proposed collections of information are necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Proposed Project: Biannual Infrastructure Development Measures for State Adolescent and Transitional Aged Youth Treatment Enhancement and Dissemination Implementation (SYT–I) and Adolescent and Transitional Aged Youth Treatment Implementation (YT–I) Programs—(OMB No. 0930–0344)—Revision

The Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse Treatment has developed a set of infrastructure development measures in which recipients of cooperative agreements will report on various benchmarks on a semi-annual basis. The infrastructure development measures are designed to collect information at the state-level and site-level.

The projects were previously named State Adolescent Treatment Enhancement and Dissemination (SAT–ED) and State Youth Treatment Enhancement and Dissemination (SYT–ED) Programs and are now called State Adolescent And Transitional Aged Youth Treatment Enhancement and Dissemination Implementation (SYT–I) and Adolescent and Transitional Aged Youth Treatment Implementation (YT–I) Programs.

No changes have been made to the Biannual Infrastructure Development Measures Report. The only revision to the biannual progress report is due to the decrease in the number of respondents.

The infrastructure development measures are based on the programmatic requirements conveyed in TI–15–004, Cooperative Agreements for SYT–I and TI–17–002, Cooperative Agreements for YT–I.

The purpose of this program is to provide funding to States/Territories/Tribes to improve treatment for adolescents and transitional age youth through the development of a learning laboratory with collaborating local community-based treatment provider sites. Through the shared experience between the State/Territory/Tribe and the local community-based treatment provider sites, an evidence-based practice (EBP) will be implemented, youth and families will be provided services, and a feedback loop will be developed to enable the State/Territory/Tribe and the sites to identify barriers and test solutions through a services component operating in real time. The expected outcomes of these cooperative agreements will include needed changes to State/Territorial/Tribal policies and procedures; development of financing structures that work in the current environment; and a blueprint for States/Territories/Tribes and providers that can be used throughout the State/Territory/Tribe to widen the use of effective substance use treatment EBPs. Additionally, adolescents (ages 12 to 18), transitional age youth (ages 18 to 24), and their families/primary caregivers who are provided services through grant funds will inform the process to improve systems issues.

Estimates for response burden were calculated based on the methodology (survey data collection) being used and are based on previous experience collecting similar data and results of the pilot study. For emailed biannual surveys, burden estimates of 12.0 hours were used for Project Directors and/or Program Managers and burden estimates

of 7.2 hours were used for other project staff members. It is estimated that 11 Project Directors and/or Program Managers and 22 other staff members from Cohort 1 will respond to the emailed survey biannually (*i.e.,* twice each year) for 3 years at an estimated total burden of 1,742.4 hours for Cohort 1. It is estimated that 2 Project Directors and/or Program Managers and 4 other staff members from Cohort 2 will respond to the emailed survey biannually (*i.e.,* twice each year) for 3 years at an estimated total burden of 316.8 hours for Cohort 2. It is estimated that 11 Project Directors and/or Program Managers and 22 other staff members from Cohort 3 will respond to the emailed survey biannually (*i.e.,* twice each year) for 3 years at an estimated total burden of 1742.4 hours for Cohort 3. The burden hours of Cohort 1 (1742.4 hours), Cohort 2 (316.8 hours) and Cohort 3 (1742.4 hours) combined comes to a total estimated burden for the emailed biannual survey of 3,801.6 hours.

TABLE 1—DATA COLLECTION BURDEN FOR BIANNUAL INFRASTRUCTURE DEVELOPMENT MEASURE FOR COHORTS 1, 2, AND 3

Cohort	Respondent type [a]	Number of respondents	Responses per respondent	Total responses	Hours per response	Total annual hour burden
1	Project Director	11	2	22	12.0	264
2	Project Director	2	2	4	12.0	28
3	Project Director	11	2	22	12.0	264
Total		24		48		556

[a] Total PD/PM and total other staff member cost are calculated as hourly wage × time spent on progress report × number of participants.

TABLE 2—ANNUALIZED BURDEN FOR BIANNUAL INFRASTRUCTURE DEVELOPMENT

Respondent type	Number of respondents	Responses per espondent	Total responses	Hours per response	Total annual hour burden
Project Director	11	2	22	12.0	264

Send comments to Summer King, SAMHSA Reports Clearance Officer, 15E–57B, 5600 Fishers Lane, Rockville, MD 20857 *OR* email her a copy at *summer.king@samhsa.hhs.gov.* Written comments should be received by September 12, 2017.

Summer King,

Statistician.

[FR Doc. 2017–14782 Filed 7–13–17; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0058]

Agency Information Collection Activities: Documents Required Aboard Private Aircraft

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted (no later than August 14, 2017) to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This proposed information collection was previously published in the **Federal Register** (82 FR 15530) on March 29, 2017, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic,

mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection:

Title: Documents Required Aboard Private Aircraft.

OMB Number: 1651–0058.

Form Number: None.

Current Actions: CBP proposes to extend the expiration date of this information collection. There is no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Affected Public: Individuals.

Abstract: In accordance with 19 CFR 122.27(c), a commander of a private aircraft arriving in the U.S. must present several documents to CBP officers for inspection. These documents include: (1) A pilot certificate/license; (2) a medical certificate; and (3) a certificate of registration. The information on these documents is used by CBP officers as an essential part of the inspection process for private aircraft arriving from a foreign country. These requirements are authorized by 19 U.S.C. 1433, as amended by Public Law 99–570.

Estimated Number of Respondents: 120,000.

Estimated Number of Annual Responses: 120,000.

Estimated Time per Response: 1 minute.

Estimated Total Annual Burden Hours: 1,992.

Dated: July 11, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–14786 Filed 7–13–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0028]

Agency Information Collection Activities: Cost Submission

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted (no later than August 14, 2017) to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq). This proposed information collection was previously published in the **Federal Register** (82 FR 16602) on April 5, 2017, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Cost Submission.

OMB Number: 1651–0028.

Form Number: CBP Form 247.

Current Actions: CBP proposes to extend the expiration date of this information collection. There is no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Affected Public: Businesses.

Abstract: The information collected on CBP Form 247, Cost Submission, is used by CBP to assist in correctly calculating the duty on imported merchandise. This form includes details on actual costs and helps CBP determine which costs are dutiable and which are not. This collection of information is provided for by subheadings 9801.00.10, 9802.00.40, 9802.00.50, 9802.00.60 and 9802.00.80 of the Harmonized Tariff Schedule of the United States (HTSUS), and by 19 U.S.C. 1508 through 1509, 19 CFR 10.11–10.24, 19 CFR 141.88 and 19 CFR 152.106. CBP Form 247 may be found on the Forms page on *CBP.gov* at: *https://www.cbp.gov/newsroom/publications/forms.*

Estimated Number of Respondents: 1,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Time per Response: 50 hours.

Estimated Total Annual Burden Hours: 50,000.

Dated: July 11, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–14788 Filed 7–13–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0013]

Agency Information Collection Activities: Entry and Manifest of Merchandise Free of Duty, Carrier's Certificate and Release

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted (no later than August 14, 2017) to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq). This proposed information collection was previously published in the **Federal Register** (82 FR 15528) on March 29, 2017, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Entry and Manifest of Merchandise Free of Duty, Carrier's Certificate and Release.

OMB Number: 1651–0013.

Form Number: CBP Form 7523.

Current Actions: CBP proposes to extend the expiration date of this information collection. There is no change to the burden hours or the information collected.

Type of Review: Extension (without change).

Affected Public: Businesses.

Abstract: CBP Form 7523, *Entry and Manifest of Merchandise Free of Duty, Carrier's Certificate and Release,* is used by carriers and importers as a manifest for the entry of merchandise free of duty under certain conditions. CBP Form 7523 is also used by carriers to show that articles being imported are to be released to the importer or consignee, and as an inward foreign manifest for a vehicle or a vessel of less than 5 net tons arriving in the United States from Canada or Mexico with merchandise conditionally free of duty. CBP uses this form to authorize the entry of such merchandise. CBP Form 7523 is authorized by 19 U.S.C. 1433, 1484 and 1498. It is provided for by 19 CFR 123.4 and 19 CFR 143.23. This form is accessible at *https://www.cbp.gov/newsroom/publications/forms?title=7523&=Apply.*

Estimated Number of Respondents: 4,950.

Estimated Number of Responses per Respondent: 20.

Estimated Total Annual Responses: 99,000.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 8,247.

Dated: July 11, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–14789 Filed 7–13–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0131]

Agency Information Collection Activities: e-Allegations Submission

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted (no later than August 14, 2017) to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office

of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). This proposed information collection was previously published in the **Federal Register** (82 FR 15530) on March 29, 2017, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: e-Allegations Submission.

OMB Number: 1651–0131.

Form Number: None.

Current Actions: CBP proposes to extend the expiration date of this information collection. There is no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Affected Public: Businesses, Individuals.

Abstract: In the interest of detecting trade violations to customs laws, CBP established the e-Allegations Web site to provide a means for concerned members of the trade community to confidentially report violations to CBP. The e-Allegations site allows the public to submit pertinent information that assists CBP in its decision whether or not to pursue the alleged violations by initiating an investigation. The information collected includes the name, phone number and email address of the member of the trade community reporting the alleged violation. It also includes a description of the alleged violation, and the name and address of the potential violators. This collection of this information is authorized by the Tariff Act of 1930, as amended (Title 19, United States Code, section 1202 *et seq.*), the Homeland Security Act of 2002 (Title 6, United States Code), and the Security and Accountability for Every Port Act of 2006 [''SAFE Port Act''] (Pub. L. 109–347, October 13, 2006). The e-Allegations Web site is accessible at *https://apps.cbp.gov/eallegations/.*

Estimated Number of Respondents: 1,600.

Estimated Number of Total Annual Responses: 1,600.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 400.

Dated: July 11, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–14784 Filed 7–13–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0034]

Agency Information Collection Activities: CBP Regulations Pertaining to Customs Brokers

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted (no later than August 14, 2017) to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This proposed information collection was previously published in the **Federal Register** (82 FR 16603) on April 5, 2017, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to

minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: CBP Regulations Pertaining to Customs Brokers (19 CFR part 111).

OMB Number: 1651–0034.

Form Numbers: CBP Forms 3124 and 3124E.

Current Actions: CBP proposes to extend the expiration date of this information collection. There is an increase to the burden hours due to increased applicants. There is no change to the information collected.

Type of Review: Extension (without change).

Affected Public: Businesses, Individuals.

Abstract: Section 641 of the Tariff Act of 1930, as amended (19 U.S.C. 1641), and Part 111 of the CBP regulations govern the licensing and conduct of customs brokers. Specifically, an individual who wishes to take the broker exam must complete CBP Form 3124E, ''Application for Customs Broker License Exam,'' or to apply for a broker license, CBP Form 3124, ''Application for Customs Broker License.'' The procedures to request a local or national broker permit can be found in 19 CFR 111.19, and a triennial report is required under 19 CFR 111.30. CBP Forms 3124 and 3124E may be found on the Forms page on *CBP.gov* at: *https://www.cbp.gov/newsroom/publications/forms.* Further information about the customs broker exam and how to apply for it may be found at *http://www.cbp.gov/trade/broker.*

CBP Form 3124E, ''Application for Customs Broker License Exam''

Estimated Number of Respondents: 2,300.

Total Number of Estimated Annual Responses: 2,300.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 2,300.

Estimated Total Annual Cost to the Public: $460,000.

CBP Form 3124, ''Application for Customs Broker License''

Estimated Number of Respondents: 750.

Total Number of Estimated Annual Responses: 750.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 750.

Estimated Total Annual Cost to the Public: $150,000.

National Broker Permit Application (19 CFR 111.19)

Estimated Number of Respondents: 200.

Total Number of Estimated Annual Responses: 200.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 200.

Estimated Total Annual Cost to the Public: $20,000.

Triennial Report (19 CFR 111.30)

Estimated Number of Respondents: 4,550.

Total Number of Estimated Annual Responses: 4,550.

Estimated Time per Response: .5 hours.

Estimated Total Annual Burden Hours: 2,275.

Estimated Total Annual Cost to the Public: $455,000.

Dated: July 11, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch U.S. Customs and Border Protection.

[FR Doc. 2017–14787 Filed 7–13–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0051]

Agency Information Collection Activities: Foreign Trade Zone Annual Reconciliation Certification and Record Keeping Requirement

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted (no later than August 14, 2017) to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *dhsdeskofficer@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the CBP Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, Economic Impact Analysis Branch, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP Web site at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This proposed information collection was previously published in the **Federal Register** (82 FR 15529) on March 29, 2017, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting

electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Foreign Trade Zone Annual Reconciliation Certification and Record Keeping Requirement.

OMB Number: 1651–0051.

Form Number: None.

Current Actions: CBP proposes to extend the expiration date of this information collection. There is no change to the burden hours, the information collected, or to the record keeping requirements.

Type of Review: Extension (without change).

Affected Public: Businesses or other for-profit institutions.

Abstract: In accordance with 19 CFR 146.4 and 146.25 foreign trade zone (FTZ) operators are required to account for zone merchandise admitted, stored, manipulated and removed from FTZs. FTZ operators must prepare a reconciliation report within 90 days after the end of the zone year for a spot check or audit by CBP. In addition, within 10 working days after the annual reconciliation, FTZ operators must submit to the CBP port director a letter signed by the operator certifying that the annual reconciliation has been prepared and is available for CBP review and is accurate. These requirements are authorized by Foreign Trade Zones Act, as amended (Pub. L. 104–201, 19 U.S.C. 81a *et seq.*)

Record Keeping Requirements Under 19 CFR 146.4

Estimated Number of Respondents: 276.

Estimated Time per Respondent: 45 minutes.

Estimated Total Annual Burden Hours: 207.

Certification Letter Under 19 CFR 146.25

Estimated Number of Respondents: 276.

Estimated Time per Respondent: 20 minutes.

Estimated Total Annual Burden Hours: 91.

Dated: July 11, 2017.

Seth Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2017–14785 Filed 7–13–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS–2017–0023]

Privacy Act of 1974; System of Records

AGENCY: Department of Homeland Security, Privacy Office.

ACTION: Notice of Modified Privacy Act System of Records.

SUMMARY: In accordance with the Privacy Act of 1974, the Department of Homeland Security proposes to modify and reissue a current Department of Homeland Security system of records titled, ''Department of Homeland Security/Federal Emergency Management Agency-002 Quality Assurance Recording System of Records.'' This system of records allows the Department of Homeland Security/Federal Emergency Management Agency to collect and maintain records on the customer service performance of its employees and contractors who interact with individuals who apply for the Agency's individual assistance and public assistance programs.

As a result of a biennial review of this system, the Department of Homeland Security/Federal Emergency Management Agency is updating this system of records notice to update the system location, remove the use of the term vendors for clarity as it is interchangeable with contractors in this instance, and replace the use of the term National Processing Service Center (NPSC) with the new term Regional Service Center (RSC). Additionally, this notice includes non-substantive changes to simplify the formatting and text of the previously published notice. This modified system will be included in the Department of Homeland Security's inventory of record systems.

DATES: Submit comments on or before August 14, 2017. This modified system will be effective August 14, 2017.

ADDRESSES: You may submit comments, identified by docket number DHS–2017–0023 by one of the following methods:

- *Federal e-Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–343–4010.
- *Mail:* Jonathan R. Cantor, Acting Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528–0655.

FOR FURTHER INFORMATION CONTACT: For general questions, please contact: William Holzerland, (202) 212–5100, Senior Director for Information Management, Federal Emergency Management Agency, Washington, DC 20478. For privacy questions, please contact: Jonathan R. Cantor, (202) 343–1717, Acting Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528–0655.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) proposes to modify and reissue a current DHS system of records titled, ''DHS/FEMA–002 Quality Assurance Recording System of Records.''

DHS/FEMA published this system of records notice because FEMA collects, uses, maintains, and retrieves personally identifiable information (PII) from its employees and contractors for internal employee performance evaluations, training, process improvement, and quality assurance purposes to improve customer service to individual assistance and public assistance applicants. FEMA collects information from individual applicants (including PII) as necessary, or uses information previously collected from them to provide customer service to these applicants.

FEMA is updating this system of records notice to provide greater transparency to the public on its migration to the Contact Center Capability Modernization Program (C3MP), a new information technology system. FEMA is updating the system location to: 1) include the C3MP IT system, which maintains these records; 2) remove the use of the term vendors for clarity as it is interchangeable with contractors in this instance; and 3) replace the use of the term National Processing Service Center (NPSC) with the new term Regional Service Center (RSC). Additionally, FEMA is making non-substantive grammatical changes throughout this notice for the purpose of clarification.

The purpose of this system of records is to enable FEMA's Quality Control Department, Customer Satisfaction Analysis Section, Contract Oversight Management Section, and FEMA RSC Supervisory staff to better monitor, evaluate, and assess its employees and contractors so that FEMA can improve customer service to those seeking disaster assistance. The purpose is consistent with FEMA's mission to improve its capability to respond to all hazards and support the citizens of our Nation.

FEMA is authorized to collect information in order to properly administer the programs that are

authorized and described in this system of record notice. FEMA collects, uses, and maintains the records within this system under the authority of: 5 U.S.C. 301; 5 CFR 430.102; 5 U.S.C. 4302; 5 U.S.C. 7106(a); 6 U.S.C. 795; 29 U.S.C. 204(b); Executive Order No. 13571; FEMA Directive 3100.1; FEMA Directive 3700.1; and FEMA Directive 3700.2.

Consistent with DHS's information sharing mission, information stored in the DHS/FEMA–002 Quality Assurance Recording System of Records may be shared with other DHS components that have a need to know the information to carry out their national security, law enforcement, immigration, intelligence, or other homeland security functions. In addition, DHS/FEMA may share information with appropriate federal, state, local, tribal, territorial, foreign, or international government agencies consistent with the routine uses set forth in this system of records notice.

This modified system will be included in the Department of Homeland Security's inventory of record systems.

II. Privacy Act

The Privacy Act embodies fair information practice principles in a statutory framework governing the means by which Federal Government agencies collect, maintain, use, and disseminate individuals' records. The Privacy Act applies to information that is maintained in a ''system of records.'' A ''system of records'' is a group of any records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined to encompass U.S. citizens and lawful permanent residents. Additionally, and similarly, the Judicial Redress Act (JRA) provides a statutory right to covered persons to make requests for access and amendment to covered records, as defined by the JRA, along with judicial review for denials of such requests. In addition, the JRA prohibits disclosures of covered records, except as otherwise permitted by the Privacy Act.

Below is the description of the DHS/FEMA–002 Quality Assurance Recording System of Records.

In accordance with 5 U.S.C. 552a(r), DHS has provided a report of this system of records to the Office of Management and Budget and to Congress.

SYSTEM NAME AND NUMBER:

Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)-002 Quality Assurance Recording System.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records are maintained at the FEMA Headquarters in Washington, DC and field offices, and also within the Contact Center Modernization Program (C3MP) IT system.

SYSTEM MANAGER(S):

Program Manager, Recovery Technology Programs Division, Federal Emergency Management Agency, Texas Recovery Service Center, Denton, TX 76208, (940) 891–8500.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 5 CFR 430.102; 5 U.S.C. 4302; 5 U.S.C. 7106(a); 6 U.S.C. 795; 29 U.S.C. 204(b); Executive Order No. 13571; FEMA Directive 3100.1; FEMA Directive 3700.1; and FEMA Directive 3700.2.

PURPOSE OF THE SYSTEM:

The purpose of this system is to collect, maintain, use, and retrieve performance records of the FEMA employees and contractors who interact with applicants of the Agency's individual assistance and public assistance programs for internal employee and contractor performance evaluations, training, and quality assurance purposes to improve FEMA's customer service to and satisfaction of those individuals applying for FEMA's individual and public assistance programs.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system collects information from FEMA employees and contractors who are making or receiving telephone calls to or from disaster assistance applicants; FEMA employees and contractors engaged in the case review of disaster assistance applications not related to a telephone call to or from a disaster assistance applicant; and FEMA employees and contractors performing customer service satisfaction assessments involving applicants of FEMA individual assistance or public assistance programs. Voice recordings or screenshots may be captured during provision of customer service for training and feedback purposes. These captures may contain disaster survivor information as listed below under ''Categories of Record in the System.''

CATEGORIES OF RECORDS IN THE SYSTEM:

- Voice recordings of telephone calls between FEMA employees and contractors and applicants for FEMA's individual assistance and public assistance programs. Telephone calls may include a third-party vendor that is providing language translation services on behalf of FEMA;
- A ''quality result'' generated in C3MP for each call or case processing activity that is evaluated by a FEMA supervisor or quality control specialist assessing the level of customer service provided by the FEMA employee/contractor to the FEMA individual assistance or public assistance applicant;
- System-generated Contact ID;
- Name of FEMA employee who conducted the assessment;
- Identification number of FEMA employee who conducted the assessment;
- FEMA employee/contractor name; and
- FEMA employee/contractor user identification number.

Tracking of FEMA employee/contractor activity related to call recordings, case review processing not related to a phone call, and customer satisfaction assessments may include the following individual assistance applicant information:

- Survey ID;
- Applicant's name;
- Applicant email address;
- Home address;
- Social Security number;
- Applicant phone number(s);
- Current mailing address; and
- Personal financial information including applicant's bank name, bank account information, insurance information, and individual or household income.

Tracking of FEMA employee/contractor activity related to call recordings for customer satisfaction assessments may include the following public assistance applicant information:

- Survey ID;
- Applicant/Point of Contact name and title;
- Applicant email address;
- Organization Name;
- Applicant's organization phone number(s); and
- Organization's business and/or mailing address.

RECORD SOURCE CATEGORIES:

FEMA obtains records from FEMA employees and contractors who assist disaster survivors in the disaster

assistance application and casework process, FEMA employees, and contractors initiating customer satisfaction assessments of FEMA disaster assistance applicants, and from supervisors or quality control specialists. This system of records contains personally identifiable information (PII) of individual assistance applicants, which is part of the DHS/FEMA–008 Disaster Recovery Assistance Files System of Records, 78 FR 25282 (April 30, 2013), as well as PII of public assistance applicants, which is part of the DHS/FEMA–009 Hazard Mitigation Disaster Public Assistance and Disaster Loan Programs System of Records, 79 FR 16015 (March 24, 2014).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside DHS as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To the Department of Justice (DOJ), including Offices of the U.S. Attorneys, or other federal agency conducting litigation or in proceedings before any court, adjudicative, or administrative body, when it is relevant or necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation:

1. DHS or any component thereof;

2. Any employee or former employee of DHS in his/her official capacity;

3. Any employee or former employee of DHS in his/her individual capacity when DOJ or DHS has agreed to represent the employee; or

4. The United States or any agency thereof.

B. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of the individual to whom the record pertains.

C. To the National Archives and Records Administration (NARA) or General Services Administration pursuant to records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.

D. To an agency or organization for the purpose of performing audit or oversight operations as authorized by law, but only such information as is necessary and relevant to such audit or oversight function.

E. To appropriate agencies, entities, and persons when:

1. DHS determines that information from this system of records is reasonably necessary and otherwise compatible with the purpose of collection to assist another federal recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach; or

2. DHS suspects or has confirmed that there has been a breach of this system of records; and (a) DHS has determined that as a result of the suspected or confirmed breach, there is a risk of harm to individuals, harm to DHS (including its information systems, programs, and operations), the Federal Government, or national security; and (b) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with DHS's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

F. To contractors and their agents, grantees, experts, consultants, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for DHS, when necessary to accomplish an agency function related to this system of records. Individuals provided information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to DHS officers and employees.

G. To an appropriate federal, state, tribal, local, international, or foreign law enforcement agency or other appropriate authority charged with investigating or prosecuting a violation or enforcing or implementing a law, rule, regulation, or order, when a record, either on its face or in conjunction with other information, indicates a violation or potential violation of law, which includes criminal, civil, or regulatory violations and such disclosure is proper and consistent with the official duties of the person making the disclosure.

H. To the news media and the public, with the approval of the Chief Privacy Officer in consultation with counsel, when there exists a legitimate public interest in the disclosure of the information, when disclosure is necessary to preserve confidence in the integrity of DHS, or when disclosure is necessary to demonstrate the accountability of DHS's officers, employees, or individuals covered by the system, except to the extent the Chief Privacy Officer determines that release of the specific information in the context of a particular case would constitute a clearly unwarranted invasion of personal privacy.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

DHS/FEMA stores records in this system electronically or on paper in secure facilities in a locked drawer behind a locked door. The records may be stored on magnetic disc, tape, and digital media.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved by the FEMA employee and/or contractor's name and user identification number, or system-generated Contact ID number. This system does not retrieve information by individual or public assistance applicant information.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

The retention period for information maintained in C3MP depends on the use of the data. Records within C3MP that are used in an evaluation of a FEMA employee or contractor are retained for six years, pursuant to FEMA Records Schedule, Series 15–1 ''National Processing Service Centers Evaluated Call Recordings,'' NARA Authority N1–311–08–1. Records that are not used in an evaluation of a FEMA employee or contractor are purged from the secured servers within 45 days, per FEMA Records Schedule, Series 15–2 ''National Processing Service Centers Unevaluated Call Recordings,'' also under NARA Authority N1–311–08–1.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

DHS/FEMA safeguards records in this system according to applicable rules and policies, including all applicable DHS automated systems security and access policies. FEMA has imposed strict controls to minimize the risk of compromising the information that is being stored. Access to the computer system containing the records in this system is limited to those individuals who have a need to know the information for the performance of their official duties and who have appropriate clearances or permissions.

RECORDS ACCESS PROCEDURES:

Individuals seeking access to and notification of any record contained in this system of records, or seeking to contest its content, may submit a request in writing to the Chief Privacy Officer and Headquarters or FEMA Freedom of Information Act (FOIA) Officer, whose contact information can be found at *http://www.dhs.gov/foia*

under ''Contacts Information.'' If an individual believes more than one component maintains Privacy Act records concerning him or her, the individual may submit the request to the Chief Privacy Officer and Chief Freedom of Information Act Officer, Department of Homeland Security, Washington, DC 20528–0655. Even if neither the Privacy Act nor the Judicial Redress Act provide a right of access, certain records about you may be available under the Freedom of Information Act.

When seeking records about yourself from this system of records or any other Departmental system of records, your request must conform to the Privacy Act regulations set forth in 6 CFR part 5. You must first verify your identity, meaning that you must provide your full name, current address, and date and place of birth. You must sign your request, and your signature must either be notarized or submitted under 28 U.S.C. 1746, a law that permits statements to be made under penalty of perjury as a substitute for notarization. While no specific form is required, you may obtain forms for this purpose from the Chief Privacy Officer and Chief Freedom of Information Act Officer, *http://www.dhs.gov/foia* or 1–866–431–0486. In addition, you should:

- Explain why you believe the Department would have information on you;
- Identify which component(s) of the Department you believe may have the information about you;
- Specify when you believe the records would have been created; and
- Provide any other information that will help the FOIA staff determine which DHS component agency may have responsive records;

If your request is seeking records pertaining to another living individual, you must include a statement from that individual certifying his/her agreement for you to access his/her records.

Without the above information, the component(s) may not be able to conduct an effective search, and your request may be denied due to lack of specificity or lack of compliance with applicable regulations.

CONTESTING RECORD PROCEDURES:

For records covered by the Privacy Act or covered JRA records, see ''Record Access Procedures'' above. For records not covered by the Privacy act or JRA covered records an applicant may call and connect directly with a live Human Services Specialist (HSS) to update the applicant's information.

NOTIFICATION PROCEDURES:

See ''Record Access Procedures.''

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

79 FR 35366; 76 FR 8758.

Dated: July 10, 2017.

Jonathan R. Cantor,

Acting Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2017–14839 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–17–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS–1640–0036]

Agency Information Collection Activities: Submission for Review; Information Collection Request for the Department of Homeland Security, Science and Technology, Research and Development Partnerships Group, Office of Public-Private Partnerships

AGENCY: Science and Technology Directorate, DHS.

ACTION: 60-day notice and request for comment.

SUMMARY: The Department of Homeland Security (DHS), Science & Technology (S&T) Directorate invites the general public to comment on the DHS S&T Industry Outreach Information data collection forms for the Public-Private Partnerships (P3) who resides within the Research and Development Partnerships Group (RDP). S&T/RPD/P3 is responsible for coordinating the collection of Industry Information,. This authority charges the P3 Office with the collection of relevant information of companies, including their contact and product information. Any and all information provided by companies is completely voluntary; companies are not required to submit any requested information.

The DHS/S&T/RDP/P3 invites interested persons to comment on the following form and instructions for the S&T/RDP/PPP: DHS S&T Industry Outreach Information Form. Interested persons may receive a copy of the Forms by contacting the DHS S&T PRA Coordinator. This notice and request for comments is required by the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted until September 12, 2017.

ADDRESSES: Interested persons are invited to submit comments, identified by docket number DHS–1640–NEW, by *one* of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Please follow the instructions for submitting comments.
- *Email: S&TPRA@st.dhs.gov.* Please include docket number DHS–1640–0036 in the subject line of the message.
- *Fax:* (202) 254–6171. (Not a toll-free number).
- *Mail:* Science and Technology Directorate, ATTN: Chief Information Office—Mary Cantey, 245 Murray Drive, Mail Stop 0202, Washington, DC 20528.

FOR FURTHER INFORMATION CONTACT: S&T/RDP/PPP System Owner: Melanie Cummings (202) 254–5616 (Not a toll free number).

SUPPLEMENTARY INFORMATION: The information collected in this form is used by both DHS S&T RDP/P3 and R&D program managers in support of technology scouting and commercialization efforts, program formulation and planning, and investment decision making. Prior to making any investment decisions regarding R&D funding, DHS S&T conducts planning activities to not only determine the need for an R&D investment but also ensures awareness of all possible solutions to the operational challenge that requires the investment. Technology scouting and commercialization inform these planning activities by providing information on current industry capabilities. This information is gathered from a number of sources, including the information provided by companies on the Industry Outreach Form. P3, which operates under the authority in Title 6 of the U.S. Code, sec. 193, shares the information received from companies with R&D program managers, who may be able to apply a company's technical capabilities or technologies to their specific project or program.

The first page of the form requests basic contact information on a company, including business name; mailing address; point of contact name, title, and contact information; company Web site address; and the company classification (size, NAICS code, etc.). The form also requests information to help S&T assess and inform its industry outreach efforts, including how and where a company heard about S&T and any previous experiences working with S&T. The second page of the form requests information about the technical capabilities (technology or service) a company offers, including the current stage of the technology, its current technology and/or manufacturing readiness level, and why the capability is unique and valuable to DHS. All information requested in the form is

necessary for determining to which R&D programs the company or product may be of interest, alignment to current and future needs of S&T and its customers in the homeland security enterprise, and how best to partner with the company.

Overview of This Information Collection

(1) *Type of Information Collection:* New information collection.

(2) *Title of the Form/Collection:* DHS S&T Industry Outreach Information Form.

(3) *Agency Form Number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Department of Homeland Security, Science & Technology Directorate—DHS S&T Industry Outreach Information Form (DHS Form 026–01)).

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Private sector companies who are making significant investments in innovative technology development with whom S&T seeks to leverage those investments to meet the needs of the homeland security enterprise.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:*

a. *Estimate of the total number of respondents:* 312.

b. *An estimate of the time for an average respondent to respond:* .050 burden hours.

c. *An estimate of the total public burden (in hours) associated with the collection:* 156 burden hours.

Dated: July 7, 2017.

Rick Stevens,

Chief Information Officer, Science and Technology Directorate.

[FR Doc. 2017–14869 Filed 7–13–17; 8:45 am]

BILLING CODE 9110–9F–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6001–N–26]

60-Day Notice of Proposed Information Collection: Housing Counseling Program—Application for Approval as a Housing Counseling Agency

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: Comments Due Date: September 12, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Kim Jakeway, Senior Housing Program Officer, Office of Outreach and Capacity Building, Office of Housing Counseling, Department of Housing and Urban Development, 3000 C Street, Suite 401, Anchorage, AK 99503; *kim.jakeway@hud.gov* or telephone (907) 677–9848. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Application for Approval as a Housing Counseling Agency.

OMB Approval Number: 2502–0573.

Type of Request: Revision.

Form Number: HUD–9900.

Description of the need for the information and proposed use: The Office of Housing Counseling is responsible for administration of the Department's Housing Counseling Program, authorized by Section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. The Housing Counseling Program supports the delivery of a wide variety of housing counseling services to homebuyers, homeowners, low- to moderate-income renters, and the homeless. The primary objective of the program is to educate families and individuals in order to help them make smart decisions regarding improving their housing situation and meeting the responsibilities of tenancy and homeownership, including through budget and financial counseling. Counselors also help borrowers avoid predatory lending practices, such as inflated appraisals, unreasonably high interest rates, unaffordable repayment terms, and other conditions that can result in a loss of equity, increased debt, default, and possible foreclosure. Counselors may also provide reverse mortgage counseling to elderly homeowners who seek to convert equity in their homes to pay for home improvements, medical costs, living expenses or other expenses. Additionally, housing counselors may distribute and be a resource for information concerning Fair Housing and Fair Lending. The Housing Counseling Program is instrumental to achievement of HUD's mission. The Program's far-reaching effects support numerous departmental programs, including Federal Housing Administration (FHA) single family housing programs.

Approximately 1,900 HUD-participating agencies provide housing counseling services nation-wide currently. Of these, approximately 920 have been directly approved by HUD. HUD maintains a list of these agencies so that individuals in need of assistance can easily access the nearest HUD-approved housing counseling agency via HUD's Web site, an automated 1–800 Hotline, or a smart phone application. HUD Form 9900, Application for Approval as a Housing Counseling Agency, is necessary to make sure that people who contact a HUD approved agency can have confidence they will receive quality service and these agencies meet HUD requirements for approval.

To participate in HUD's Housing Counseling Program, a housing counseling agency must first be approved by HUD. Approval entails meeting various requirements relating to experience and capacity, including nonprofit status, a minimum of one year of housing counseling experience in the target community, and sufficient resources to implement a housing counseling plan. Eligible organizations include local housing counseling agencies, private or public organizations (including grassroots, faith-based and other community-based organizations) such as nonprofit, state, or public housing authorities that meet the Program criteria. HUD uses form HUD–9900 to evaluate whether applying organizations meet minimum

requirements to participate in the Housing Counseling Program. The instruction on how to become a HUD approved Housing Counseling Agency is found at *https://www.hudexchange.info/programs/housing-counseling/agency-application/*. HUD is seeking a revision for the Application for Approval as a Housing Counseling Agency, form HUD–9900. There have been no changes in program eligibility requirements. The form will be updated to reflect a streamlined, fillable PDF interactive version and will continue to require electronic submission of applications through email in place of paper submissions.

Respondents (*i.e.* affected public): Not-for-profit institutions.

Estimated Number of Respondents: 800.

Estimated Number of Response: 800.

Frequency of Response: 1.

Average Hours per Response: 8.

Total Estimated Burdens: 6400.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: June 21, 2017.

Genger Charles,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2017–14805 Filed 7–13–17; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6001–N–27]

60-Day Notice of Proposed Information Collection: Request for Prepayment of Section 202 or 202/8 Direct Loan Project

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 12, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 8778339.

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Colette Pollard at *Colette.Pollard@hud.gov* or telephone 202–402–3400. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 8778339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Request for Prepayment of Section 202 or 202/8 Project.

OMB Approval Number: 2502–0554.

Type of Request: Revision of a currently approved collection.

Form Number: 9808.

Description of the need for the information and proposed use: Owners of Section 202 projects use the form as the initial application to prepay their Section 202 Direct Loan and provide narrative information relative to the prepayment that must be reviewed by HUD staff, including a draft the applicable Use Agreement required in most prepayments.

Respondents (*i.e.,* affected public): Business, Not for profit institutions

Estimated Number of Respondents: 1,566.

Estimated Number of Responses: 1,566.

Frequency of Response: On occasion.

Average Hours per Response: 1 hours.

Total Estimated Burdens: 1,566.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. chapter 35.

Dated: June 23, 2017.

Genger Charles,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2017–14804 Filed 7–13–17; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6001–N–25]

60-Day Notice of Proposed Information Collection: Multifamily Contractor's/ Mortgagor's Cost Breakdowns and Certifications

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 12, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Daniel J. Sullivan, Acting Director, Office of Multifamily Production, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, email *Daniel.J.Sullivan@hud.gov* or telephone 202–402–6130. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Multifamily Contractor's/Mortgagor's Cost Breakdowns and Certifications.

OMB Approval Number: 2502–0044.

Type of Request: Extension of currently approved collection.

Form Number: HUD–92330–A, HUD–2328, HUD–2205–A.

Description of the need for the information and proposed use: Contractors use the form HUD–2328 to establish a schedule of values of construction items on which the monthly advances or mortgage proceeds are based. Contractors use the form HUD–92330–A to convey actual construction costs in a standardized format of cost certification. In addition to assuring that the mortgage proceeds have not been used for purposes other than construction costs, HUD–92330–A further protects the interest of the Department by directly monitoring the accuracy of the itemized trades on form HUD–2328. This form also serves as project data to keep Field Office cost data banks and cost estimates current and accurate. HUD–2205A is used to certify the actual costs of acquisition or refinancing of projects insured under Section 223(f) program.

Respondents: Business or other for profit. Not for profit institutions.

Estimated Number of Respondents: 1668.

Estimated Number of Responses: 1668.

Frequency of Response: 1.

Average Hours per Response: 19.

Total Estimated Burdens: 12,224.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: June 23, 2017.

Genger Charles,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2017–14806 Filed 7–13–17; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6001–N–24]

60-Day Notice of Proposed Information Collection: Loan Sales Bidder Qualification Statement

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date: September 12, 2017.*

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: John Lucey, Director, Asset Sales Office, Room 3136, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410–8000; telephone 202–708–2625, extension 3927 or Kiara Griggs, Attorney, Office of Insured Housing, Multifamily Division, Room 9230; telephone 202–708–0614, extension 4797. Hearing- or speech-impaired individuals may call 202–708–4594 (TTY). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is

seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: HUD Loan Sale Bidder Qualification Statement.

OMB Approval Number: 2502–0576.

Type of Request: Extension of currently approved collection.

Form Number: HUD—90092.

Description of the need for the information and proposed use: The Qualification Statement solicits from Prospective bidders to the HUD Loan Sales the basic qualifications required for bidding including but not limited to, Purchaser Information (Name of Purchaser, Corporate Entity, Address, Tax ID), Business Type, Net Worth, Equity Size, Prior History with HUD Loans and prior sales participation. By executing the Qualification Statement, the purchaser certifies, represents and warrants to HUD that each of the statements included are true and correct as to the purchaser and thereby qualifies them to bid.

Respondents (i.e., affected public): Business.

Estimated Number of Respondents: 542.

Estimated Number of Responses: 1,264.

Frequency of Response: On occasion.

Average Hours per Response: 0.5 hours.

Total Estimated Burdens: 316.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: June 23, 2017.

Genger Charles,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2017–14807 Filed 7–13–17; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6003–N–06]

60-Day Notice of Proposed Information Collection: Family Self-Sufficiency Program Demonstration

AGENCY: Office of Policy Development and Research, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 12, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Anna P. Guido, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone (202) 402–5534 (this is not a toll-free number) or email at *Anna.P.Guido@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION, CONTACT: Anna P. Guido, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Anna P. Guido at *Anna.P.Guido@hud.gov* or telephone (202) 402–5535 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: The Family Self-Sufficiency Demonstration.

OMB Approval Number: 2528–0296.

Description of the need for the information and proposed use: The Department is conducting this study under contract with MDRC and its subcontractor (M. Davis and Company, Inc.) and consultants. The project is an evaluation of the Family Self-Sufficiency (FSS) Program operated at Public Housing Agencies (PHAs) across the U.S. The study will use random assignment methods to evaluate the effectiveness of the program. FSS has operated since 1992 and serves voucher holders and residents of public housing. The FSS model is essentially case management plus an escrow account. FSS case managers create a plan with families to achieve goals and connect with services that will enhance their employment opportunities. Families accrue money in their escrow accounts as they increase their earnings.

To date, HUD has funded two other studies of the FSS program, but neither can tell us how well families would have done in the absence of the program. A random assignment model is needed because participant self-selection into FSS limits the ability to know whether program features rather than the characteristics of the participating families caused tenant income gains. Random assignment will limit the extent to which selection bias is driving observed results.

The demonstration underway will document the progress of a group of FSS participants from initial enrollment to program completion (or exit). The intent is to gain a deeper understanding of the program and illustrate strategies that assist participants to obtain greater economic independence. While the main objective of FSS is stable, suitable employment, there are many interim outcomes of interest, which include: getting a first job; getting a higher paying job; self-employment/small business ownership; no longer needing benefits provided under one or more welfare programs; obtaining additional education, whether in the form of a high school diploma, higher education degree, or vocational training; buying a home; buying a car; setting up savings accounts; or accomplishing similar goals that lead to economic independence.

Data for this evaluation are being gathered through a variety of methods including informational interviews and discussions, direct observation, and focus groups. The work covered under

this information request is for interviews with PHA staff, partners, and study participants receiving FSS services.

Type of Request: Revision of a currently approved collection.

Agency Form Numbers: No agency forms will be used. The quarterly reporting will be accomplished through a short narrative report.

Respondents: 180 Respondents in all.

Members of Affected Public: 90.

Estimated Number of Respondents: 180.

Frequency of response: Once.

Hours of response: 90 minutes.

Estimated Total Annual Burden Hours: 279 hours.

Estimated Total Annual Cost: $4,325.94.

PHA and Partner Staff: 90

Individuals receiving subsidized housing and enrolled in the FSS program (treatment group): 90.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Study Participant Interviews and/or Focus Groups.	90 participants (10 participants * 9 sites).	Once	One	90 minutes, on average (1.5 hours).	135 hours (90 * 1.5) ..	[1] $7.25	$489.38 (45 employed sample members * $7.25* 1.5 hours).
PHA Staff Interviews (on-site).	27 staff (3 staff * 9 sites).	Once	One	90 minutes, on average (1.5 hours).	40.5 hours (27 * 1.5)	[2] 24.33	$985.40 (27 staff * $24.33* 1.5 hours).
PHA Staff Interviews (telephone).	18 staff (2 staff * 9 sites).	Once	One	90 minutes, on average (1.5 hours).	27 hours (18 * 1.5)	[2] 24.33	$656.91 (18 staff * $24.33 * 1.5 hours).
Cost Study Data Collection Activities with PHA staff.	18 staff (1 staff * 18 sites).	Once	One	120 minutes, on average (or 2 hours).	36 hours (18 staff * 2)	33.58	$1208.88 (18 staff * $33.58 * 2 hours).
FSS Partner Staff Interviews.	27 staff (1 staff * 3 partners * 9 sites).	Once	One	90 minutes, on average (1.5 hours).	40.5 hours (27 * 1.50)	33.58	$985.36 (27 staff * $24.33* 1.5 hours).
Total	180	.....	.....	.....	279	.....	$4,325.94

[1] Households participating in the Family Self-Sufficiency Demonstration will range widely in employment position and earnings. We have estimated the hourly wage at the expected prevailing minimum wage, which is $7.25 per hour. We expect about 50 percent of the participants to be employed at the time of study entry. A recent report by the Center on Budget and Policy Priorities, some 55 percent of non-elderly, non-disabled households receiving voucher assistance reported earned income in 2010. The typical (median) annual earnings for these families were $15,600, only slightly more than the pay from full-time, year-round minimum-wage work. (*http://www.cbpp.org/cms/?fa=view&id=3634*). Based on this, we assumed 50% of participants would be working at the federal minimum wage.

[2] For program staff participating in interviews, the estimate uses the median hourly wages of selected occupations (classified by Standard Occupational Classification (SOC) codes) was sourced from the Occupational Employment Statistics from the U.S. Department of Labor's Bureau of Labor Statistics. Potentially relevant occupations and their median hourly wages are:

Occupation	SOC code	Median hourly wage rate
Community and Social Service Specialist	21–1099	$19.26
Social/community Service Manager	11–9151	29.40

Source: Occupational Employment Statistics, accessed online March 20, 2015 at *http://www.bls.gov/oes/current/oes_stru.htm.*

To estimate cost burden to program staff respondents, we use an average of the occupations listed, or $24.33/hr.

[4] For program staff supporting data extraction activities and FSS Partner staff, the estimate uses the median hourly wages of selected relevant occupations in a manner similar to the above. A standard wage assumption of $33.58/hr. was created by averaging median hourly wage rates for these occupations:

Occupation	SOC code	Median hourly wage rate
Database Administrator	15–1141	$37.75
Social/community Service Manager	11–9151	29.40

Source: Occupational Employment Statistics, accessed online March 22, 2015 at *http://www.bls.gov/oes/current/oes_stru.htm.*

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of

the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: July 7, 2017.

Matthew E. Ammon,

General Deputy Assistant, Secretary for Policy Development and Research.

[FR Doc. 2017–14811 Filed 7–13–17; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6001–N–23]

60-Day Notice of Proposed Information Collection: Quality Control Requirements for Direct Endorsement Lenders

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of

information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 12, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Justin D. Burch, Director, Quality Assurance Division, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development, 451 7th Street SW., Room B133–P3214, Washington, DC 20410, telephone 202–708–1515 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Mr. Burch.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Quality Control Requirements for Direct Endorsement Lenders.

OMB Approval Number: 2502–0600.

Type of Request: Extension of a currently approved collection.

Form Number: N/A.

Description of the need for the information and proposed use: Under 24 CFR 202.8(3), Direct Endorsement (DE) lenders which sponsor third-party originators (TPOs) are responsible to the Secretary for the actions of TPOs or mortgagees in originating loans or mortgages, unless applicable law or regulation requires specific knowledge on the part of the party to be held responsible. As a result, DE lenders are responsible for conducting quality control on TPO originations of FHA-insured mortgage loans, and ensuring that their quality control plans contain appropriate oversight provisions. This creates an information collection burden on DE lenders, since these institutions must conduct quality control on all loans they originate and underwrite. In addition, under 24 CFR 203.255(c) and (e), HUD conducts both pre- and post-endorsement reviews of loans submitted for FHA insurance by DE lenders. As part of those reviews, the Secretary is authorized to determine if there is any information indicating that any certification or required document is false, misleading, or constitutes fraud or misrepresentation on the part of any party, or that the mortgage fails to meet a statutory or regulatory requirement. In order to assist the Secretary with this directive, FHA requires that lenders self-report all findings of fraud and material misrepresentation, as well any material findings concerning the origination, underwriting, or servicing of the loan that the lender is unable to mitigate or otherwise resolve. The obligation to self-report these findings creates an additional information collection burden on DE lenders.

In accordance with the requirements of 5 CFR 1320.8(d), a Notice soliciting comments on this collection of information was initially published in the **Federal Register** on December 21, 2010 (Volume 75, Number 244, page 80066). At that time, FHA still allowed for loan correspondents to participate in its programs and had not yet transitioned to the use of TPOs. Therefore, FHA estimated information collection burdens based on the expected used of TPOs by DE lenders. Three years later, FHA has revised these estimates with real data, which has substantially reduced the information collection burden associated with OMB Control Number 2502–0600.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 1,831.

Estimated Number of Responses: 135,682.

Frequency of Response: Annually.

Average Hours per Response: .52.

Total Estimated Burdens: 71,017.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: June 23, 2017.

Genger Charles,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2017–14810 Filed 7–13–17; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R7–ES–2017–N055; FXES11140700000–178–FF07CAAN00]

Endangered and Threatened Wildlife and Plants; Initiation of a 5-Year Status Review of the Aleutian Shield Fern

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice; request for information.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are initiating a 5-year status review of the Aleutian shield fern under the Endangered Species Act of 1973, as amended (ESA). A 5-year status review is based on the best scientific and commercial data available at the time of the review; therefore, we are requesting submission of any new information on these species that has become available since the last review, in 2005.

DATES: To ensure consideration of your comments in our preparation of this 5-year status review, we must receive your comments and information by September 12, 2017. However, we will accept information about any species at any time.

ADDRESSES: Please submit your information by any one of the following methods:

- *Email: leah_kenney@fws.gov;* or
- *U.S. mail or hand delivery:* U.S. Fish and Wildlife Service, ATTN: Aleutian shield fern, 4700 BLM Road, Anchorage, AK 99507.

For more about submitting information, see Request for Information in the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Leah Kenney, Anchorage Fish and

Wildlife Field Office, by telephone at 907–271–2440 (phone). Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 800–877–8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: We are initiating a 5-year status review under the ESA for the Aleutian shield fern (*Polystichum aleuticum*). A 5-year status review is based on the best scientific and commercial data available at the time of the review; therefore, we are requesting submission of information that has become available since the last review of the species in 2005.

Why do we conduct 5-year reviews?

Under the ESA (16 U.S.C. 1531 *et seq.*), we maintain Lists of Endangered and Threatened Wildlife and Plants (which we collectively refer to as the List) in the Code of Federal Regulations (CFR) at 50 CFR 17.11 (for animals) and 17.12 (for plants). Section 4(c)(2)(A) of the ESA requires us to review each listed species' status at least once every 5 years. Further, our regulations at 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing those species under active review. For additional information about 5-year reviews, go to *http://www.fws.gov/endangered/what-we-do/recovery-overview.html,* scroll down to ''Learn More about 5-Year Reviews,'' and click on the ''5-Year Reviews'' link.

What information do we consider in our review?

A 5-year review considers all new information available at the time of the review. In conducting these reviews, we consider the best scientific and commercial data that have become available since the listing determination or most recent status review, such as:

(1) The biology of the species, including but not limited to population trends, distribution, abundance, demographics, and genetics;

(2) Habitat conditions, including but not limited to amount, distribution, and suitability;

(3) Conservation measures that have been implemented that benefit the species;

(4) Threat status and trends in relation to the five listing factors (as defined in section 4(a)(1) of the ESA); and

(5) Other new information, data, or corrections, including but not limited to taxonomic or nomenclatural changes, identification of erroneous information contained in the List, and improved analytical methods.

Any new information will be considered during the 5-year review and will also be useful in evaluating the ongoing recovery programs for the species.

Species Under Review

Entity listed: Aleutian shield fern (*Polystichum aleuticum*).

Where listed: Wherever found.

Classification: Endangered.

Date listed (publication date for final listing rule): February 17, 1988.

Federal Register citation for final listing rule: 53 FR 4626.

Request for Information

To ensure that a 5-year review is complete and based on the best available scientific and commercial information, we request new information from all sources. See What Information Do We Consider in Our Review? for specific criteria. If you submit information, please support it with documentation such as maps, bibliographic references, methods used to gather and analyze the data, and/or copies of any pertinent publications, reports, or letters by knowledgeable sources. If you submit purported sightings of the species, please also provide supporting documentation in any form to the extent that it is available.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comments, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Completed and Active Reviews

A list of all completed and currently active 5-year reviews addressing species for which the Alaskan Region of the Service has lead responsibility is available at *http://www.fws.gov/alaska/fisheries/endangered/reviews.htm.*

Authority

This document is published under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: April 10, 2017.

Gregory Siekaniec,

Regional Director, Alaska Region.

[FR Doc. 2017–14793 Filed 7–13–17; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCA942000 L57000000.BX0000 15X L5017AR]

Filing of Plats of Survey: California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of survey of lands described in this notice are scheduled to be officially filed in the Bureau of Land Management (BLM), California State Office, Sacramento, California. The surveys, which were executed at the request of the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, the U.S. Forest Service, the Natural Resources Conservation Service, and the BLM, are necessary for the management of these lands.

DATES: Protests must be received by the BLM by August 14, 2017.

ADDRESSES: A copy of the plats may be obtained from the BLM, California State Office, 2800 Cottage Way W–1623, Sacramento, California 95825, upon required payment. Please use this address when filing written protests.

FOR FURTHER INFORMATION CONTACT: Jon Kehler, Chief, Branch of Cadastral Survey, Bureau of Land Management, California State Office, 2800 Cottage Way W–1623, Sacramento, California 95825; 1–916–978–4323; *jkehler@blm.gov.* Persons who use a telecommunications device for the deaf may call the Federal Relay Service at 1–800–877–8339 to contact the above individual during normal business hours. The Service is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION:

The lands surveyed are:

Mount Diablo Meridian, California

T. 26 N., R. 2 W., metes-and-bounds survey and meander survey, accepted March 14, 2017.

T. 30 N., R. 7 E., supplemental plat of section 1, accepted May 2, 2017.

T. 22 N., R. 8 W., amended protraction diagram for unsurveyed area, accepted May 11, 2017.

T. 24 S., R. 36 E., dependent resurvey, subdivision and metes-and-bounds survey, accepted May 19, 2017.

T. 23 N., R. 3 E., dependent resurvey and subdivision of section 35, accepted May 30, 2017.

T. 1 N., R. 17 E., dependent resurvey and subdivision, accepted June 5, 2017.

T. 28 S., R. 32 E., dependent resurvey and subdivision, accepted June 13, 2017.

T. 38 N., Rs. 5 & 6 E., dependent resurvey, subdivision of sections and metes-and-bounds survey, accepted June 13, 2017.

San Bernardino Meridian, California

T. 5 S., R. 8 E., dependent resurvey, accepted May 2, 2017.
T. 9 S., R. 2 W., supplemental plat of the SE ¼ of the SE ¼ section 34, accepted May 2, 2017.
T. 9 S., R. 2 W., supplemental plat of lot 76 in section 27, accepted May 2, 2017.
T. 5 N., R. 24 W., dependent resurvey and metes-and-bounds survey, accepted June 6, 2017.

A person or party who wishes to protest a survey must file a notice that they wish to protest with the Chief, Branch of Cadastral Survey. A statement of reasons for a protest may be filed with the notice of protest and must be filed with the Chief, Branch of Cadastral Survey within 30 days after the protest is filed. If a protest against the survey is received prior to the date of official filing, the filing will be stayed pending consideration of the protest. A plat will not be officially filed until the day after all protests have been dismissed or otherwise resolved.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask the BLM in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 43 U.S.C., Chapter 3.

Joan H. Honda,

Acting Chief Cadastral Surveyor.

[FR Doc. 2017–14759 Filed 7–13–17; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLOR957000.L63100000.BJ0000 .17XL1109AF.HAG 17–0101]

Filing of Plats of Survey, Oregon/ Washington

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The plats of survey of the following described lands are scheduled to be officially filed in the Bureau of Land Management (BLM), Oregon State Office, Portland, Oregon, 30 calendar days from the date of this publication. The surveys, which were executed at the request of the BLM, are necessary for the management of these lands.

DATES: Protests must be received by the BLM by August 14, 2017.

ADDRESSES: A copy of the plats may be obtained from the Public Room at the BLM, Oregon State Office, 1220 SW 3rd Avenue, Portland, Oregon 97204, upon required payment. The plats may be viewed at this location at no cost.

FOR FURTHER INFORMATION CONTACT: Kyle Hensley, (503) 808–6132, Branch of Geographic Sciences, LM, 1220 SW 3rd Avenue, Portland, Oregon 97204. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The plats of survey of the following described lands are scheduled to be officially filed in the BLM, Oregon State Office, Portland, Oregon:

Willamette Meridian, Oregon

T. 20 S., R. 8 W., accepted March 24, 2017

Washington

T. 34 N., R. 36 E. accepted March 10, 2017
T. 40 N., R. 36 E., accepted February 24, 2017

A person or party who wishes to protest one or more plats of survey identified above must file a written notice of protest with the Chief Cadastral Surveyor for Oregon/ Washington, BLM. The notice of protest must identify the plat(s) of survey that the person or party wishes to protest. The notice of protest must be filed before the scheduled date of official filing for the plat(s) of survey being protested. Any notice of protest filed after the scheduled date of official filing will be untimely and will not be considered. A notice of protest is considered filed on the date it is received by the Chief Cadastral Surveyor for Oregon/Washington during regular business hours; if received after regular business hours, a notice of protest will be considered filed the next business day. A written statement of reasons in support of a protest, if not filed with the notice of protest, must be filed with the Chief Cadastral Surveyor for Oregon/Washington within 30 calendar days after the notice of protest is filed. If a notice of protest against a plat of survey is received prior to the scheduled date of official filing, the official filing of the plat of survey identified in the notice of protest will be stayed pending consideration of the protest. A plat of survey will not be officially filed until the next business day following dismissal or resolution of all protests of the plat.

Before including your address, phone number, email address, or other personal identifying information in a notice of protest or statement of reasons, you should be aware that the documents you submit—including your personal identifying information—may be made publicly available in their entirety at any time. While you can ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

F. David Radford,

Associate Branch Chief, Geographic Sciences.

[FR Doc. 2017–14830 Filed 7–13–17; 8:45 am]

BILLING CODE 4310–33–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMT926000–17X–L71300000–BJ0000–LVTSEX683850; 17XL1109AF; MO#4500103585]

Filing of Plats of Survey; South Dakota

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of survey of lands described in this notice are scheduled to be officially filed in the Bureau of Land Management (BLM), Montana State Office, Billings, Montana, 30 calendar days from the date of this publication.

DATES: Protests must be received by the BLM by August 14, 2017.

ADDRESSES: Protests of the survey should be sent to the Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101–4669.

FOR FURTHER INFORMATION CONTACT: Marvin Montoya, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101–4669, telephone (406) 896–5124 or (406) 896–5009, *HMontoya@blm.gov*. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: This survey was executed at the request of

the Cheyenne River Sioux Tribe, and was necessary to determine Individual and Tribal Trust lands.

The lands we surveyed are:

Black Hills Meridian, South Dakota

T. 7 N., R. 21 E.

The plat, in two sheets, representing the dependent resurvey of a portion of the subdivisional lines, the original meanders of the former left bank of the Cheyenne River, through section 8, a portion of the subdivision of section 8, and the 1932 meanders of the former left bank of the Cheyenne River, through sections 7 and 8, the further subdivision of section 8, and the survey of the meanders of the present left bank of the Cheyenne River and informative traverse, through a portion of section 7 and section 8, the left and right banks and medial line of an abandoned channel of the Cheyenne River in section 8, the limits of erosion in section 8, a portion of the left bank of a relicted channel of the Cheyenne River in section 7, a former left bank of the Cheyenne River in section 8, and certain division of accretion and partition lines, Township 7 North, Range 21 East, of the Black Hills Meridian, South Dakota, was accepted April 26, 2017.

The BLM will place a copy of the plat, in two sheets, and related field notes described in the open files. They will be available to the public as a matter of information. If the BLM receives a protest against this survey, as shown on this plat, in two sheets, prior to the date of the official filing, the BLM will stay the filing pending its consideration of the protest. The BLM will not officially file this plat, in two sheets, until the day after it has accepted or dismissed all protests and they have become final, including decisions or appeals.

A person or party who wishes to protest a survey must file a notice that they wish to protest with the Chief, Branch of Cadastral Survey, at the address listed in the **ADDRESSES** section. A statement of reasons for a protest may be filed with the notice of protest and must be filed within 30 calendar days after the protest is filed. If a protest against the survey is received prior to the date of official filing, the filing will be stayed pending consideration of the protest. A plat will not be officially filed until the day after all protests have been dismissed or otherwise resolved.

Before including your address, phone number, email address, or other personal identifying information in your protest, please be aware that your entire protest—including your personal identifying information—may be made publicly available at any time. While you can ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 43 U.S.C. Chap. 3.

Joshua F. Alexander,

Chief, Branch of Cadastral Survey, Division of Energy, Minerals and Realty.

[FR Doc. 2017–14757 Filed 7–13–17; 8:45 am]

BILLING CODE 4310–DN–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

Use of Outer Continental Shelf Sand Resources in the Martin County Hurricane and Storm Damage Reduction Project, Hutchinson Island, Martin County, Florida

MMAA104000

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of availability of the Record of Decision.

SUMMARY: The Bureau of Ocean Energy Management (BOEM) is announcing the availability of the Record of Decision (ROD) that documents BOEM's decision to authorize the use of Outer Continental Shelf (OCS) sand resources by the U.S. Army Corps of Engineers (USACE) Jacksonville District in the Martin County Hurricane and Storm Damage Reduction (HSDR) Project, Hutchinson Island, Martin County, Florida. BOEM will enter into a negotiated agreement with the USACE and Martin County and make available OCS sand for use in the Martin County HSDR project.

ADDRESSES: The ROD is available at BOEM's Web site at *https://www.boem.gov/Florida-Projects/.*

FOR FURTHER INFORMATION CONTACT: Jill Lewandowski, Bureau of Ocean Energy Management, Chief, Division of Environmental Assessment, Office of Environmental Programs, 45600 Woodland Road, VAM OEP, Sterling, VA 20166, (703) 787–1703; *jill.lewandowski@boem.gov.*

SUPPLEMENTARY INFORMATION: The environmental impacts of dredging and the placement of OCS sand along the Martin County shoreline have been evaluated in several National Environmental Policy Act (NEPA) documents. The most recent Supplemental Environmental Impact Statement (SEIS) was prepared in 2011 by the USACE with BOEM as a cooperating agency. The SEIS tiered directly from the USACE 1986 Feasibility Report and Final EIS and 1994 General Design Memorandum and Environmental Assessment. These previous NEPA documents evaluated a suite of structural and non-structural alternatives to address HSDR needs in Martin County, Florida. In its February 2012 ROD, the Corps selected its preferred alternative to construct the Martin County HSDR Project, including use of OCS sand from the C1–B borrow area for the remaining life of the Federal project through 2046. A ROD was signed by BOEM in March 2012 for use of 1,000,000 cubic yards (CY) of OCS sand resources from C1–B to support nourishment of the Martin County project in 2012. In accordance with 40 CFR 1502.9 and 43 CFR 46.120, BOEM has reviewed all existing NEPA documents and independently determined that existing environmental analyses adequately assess impacts of the proposed action. There are no changes to the proposed action, no new circumstances, and no new information that would result in significantly different environmental effects and warrant supplementation of the existing SEIS. The 2011 SEIS adequately assessed the physical, biological, and social/human impacts of the proposed project and considered a range of alternatives, including a no-action alternative.

The USACE Jacksonville District and Martin County Board of Commissioners (non-federal sponsor) have since requested that BOEM authorize the use of up to 1,000,000 CY of additional OCS sand resources from C1–B to support nourishment of the Martin County HSDR project. The project proponents propose to nourish a 4-mile stretch of Hutchinson Island, Florida, creating a sea-turtle friendly beach template using sand from shoal C1–B. BOEM and the USACE will enter into a negotiated agreement authorizing the use of up to 1,000,000 CY of OCS sand from the C1–B borrow area. This decision is for the authorization of the proposed use of OCS sand for the Martin County HSDR Project in 2017 and may also apply to future use of OCS sand resources if BOEM determines the existing NEPA analysis is still adequate and supplementation is not warranted. Under the OCS Lands Act (43 U.S.C. 1337(k)(2)), BOEM can convey, on a noncompetitive basis, the rights to use OCS sand, gravel, or shell resources for use in a program for shore protection, beach restoration, or coastal wetland restoration undertaken by a Federal, state, or local government agency (43 U.S.C. 1337(k)(2)).

The ROD discloses BOEM's decision, articulates the basis for the decision, summarizes the alternatives considered by BOEM, and identifies the

environmentally preferable alternative and the mitigation measures BOEM is adopting. The USACE is committed to implementing the mitigation measures and monitoring requirements deemed practicable to avoid or minimize environmental harm. The mitigation measures and monitoring requirements are identified in BOEM's ROD and will be incorporated into the negotiated agreement between BOEM, the USACE, and Martin County.

Authority: This Notice of Availability is published pursuant to the regulations (40 CFR 1506.6) implementing the provisions of the NEPA of 1969 (42 U.S.C. 4321 *et seq.*).

Dated: July 11, 2017.

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

[FR Doc. 2017–14867 Filed 7–13–17; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

Gulf of Mexico Outer Continental Shelf Oil and Gas Lease Sale 249 MMAA104000

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Final Notice of Sale.

SUMMARY: On Wednesday, August 16, 2017, the Bureau of Ocean Energy Management (BOEM) will open and publicly announce bids received for blocks offered in the Gulf of Mexico (GOM) Outer Continental Shelf (OCS) Regionwide Oil and Gas Lease Sale 249 (GOM Regionwide Sale 249), in accordance with the provisions of the Outer Continental Shelf Lands Act (OCSLA), as amended, and the implementing regulations issued pursuant thereto. The GOM Regionwide Sale 249 Final Notice of Sale (NOS) package contains information essential to potential bidders.

DATES: Public bid reading for GOM Regionwide Sale 249 will begin at 9:00 a.m. on Wednesday, August 16, 2017, at 1201 Elmwood Park Boulevard, New Orleans, Louisiana. The venue will not be open to the general public, media, or industry. Instead, the bid opening will be available for public viewing on BOEM's Web site at *www.boem.gov* via live-streaming video beginning at 9:00 a.m. on the date of the sale. BOEM will also post the results on its Web site after bid opening and reading are completed. All times referred to in this document are Central Standard Time, unless otherwise specified.

Bid Submission Deadline: BOEM must receive all sealed bids between 8:00 a.m. and 4:00 p.m. on normal working days, or from 8:00 a.m. to the Bid Submission Deadline of 10:00 a.m. on Tuesday, August 15, 2017, the day before the lease sale. For more information on bid submission, see Section VII, ''Bidding Instructions,'' of this document.

Bonus Bid Deposits: Bonus bid deposits must be electronically deposited into an interest-bearing account in the U.S. Treasury by 11:00 a.m. on the day after the bid reading, August 17, 2017.

ADDRESSES: Interested parties may download the Final NOS package from BOEM's Web site at *http://www.boem.gov/Sale-249/.* Copies of the sale maps may be obtained by contacting the BOEM GOM Region at: Gulf of Mexico Region Public Information Office, Bureau of Ocean Energy Management, 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123–2394, tel. (504) 736–2519 or (800) 200–GULF.

Mailed bids should be addressed to: Attention: Leasing and Financial Responsibility Section, BOEM Gulf of Mexico Region, 1201 Elmwood Park Boulevard WS–266A, New Orleans, Louisiana 70123–2394, noting: Contains Sealed Bids for GOM Regionwide Sale 249, Please deliver to Ms. Cindy Thibodeaux or Mr. Greg Purvis.

Geophysical Data and Information Statements (GDIS) must be submitted to: BOEM, Resource Studies, GM 881A, 1201 Elmwood Park Boulevard, New Orleans, LA 70123–2304.

FOR FURTHER INFORMATION CONTACT: Dr. David Diamond, Chief, Leasing Division, 703–787–1776, *david.diamond@boem.gov.*

SUPPLEMENTARY INFORMATION:

Table of Contents

This Final NOS includes the following sections:

I. Lease Sale Area

Blocks Offered for Leasing: BOEM will offer for bid in this lease sale all of the available unleased acreage in the GOM, except those blocks listed in ''Blocks Not Offered for Leasing.''

Blocks Not Offered for Leasing: The following whole and partial blocks are not offered for lease in this sale. The BOEM Official Protraction Diagrams (OPDs) and Supplemental Official Block Diagrams are available online at *https://www.boem.gov/Maps-and-GIS-Data/.*

Whole and partial blocks that lie within the boundaries of the Flower Garden Banks National Marine Sanctuary (in the East and West Flower Garden Banks and the Stetson Bank), identified in the following list:

High Island, East Addition, South Extension (Leasing Map TX7C)
Whole Block: A–398
Partial Blocks: A–366, A–367, A–374, A–375, A–383, A–384, A–385, A–388, A–389, A–397, A–399, A–401

High Island, South Addition (Leasing Map TX7B)
Partial Blocks: A–502, A–513

Garden Banks (OPD NG15–02)
Partial Blocks: 134, 135

Blocks that are adjacent to or beyond the United States Exclusive Economic Zone in the area known as the northern portion of the Eastern Gap:

Lund South (OPD NG 16–07)
Whole Blocks: 128, 129, 169 through 173, 208 through 217, 248 through 261, 293 through 305, and 349

Henderson (OPD NG 16–05)
Whole Blocks: 466, 508 through 510, 551 through 554, 594 through 599, 637 through 643, 679 through 687, 722 through 731, 764 through 775, 807 through 819, 849 through 862, 891 through 905, 933 through 949, and 975 through 992
Partial Blocks: 467, 511, 555, 556, 600, 644, 688, 732, 776, 777, 820, 821, 863, 864, 906, 907, 950, 993, and 994

Florida Plain (OPD NG 16–08)
Whole Blocks: 5 through 24, 46 through 67, 89 through 110, 133 through 154, 177 through 197, 221 through 240, 265 through 283, 309 through 327, and 363 through 370

All whole or partial blocks deferred by the Gulf of Mexico Energy Security Act of 2006, Public Law 109–432:

Pensacola (OPD NH 16–05)
Whole Blocks: 751 through 754, 793 through 798, 837 through 842, 881 through 886, 925 through 930, and 969 through 975

Destin Dome (OPD NH 16–08)
Whole Blocks: 1 through 7, 45 through 51, 89 through 96, 133 through 140, 177 through 184, 221 through 228, 265 through 273, 309 through 317, 353 through 361, 397 through 405, 441 through 450, 485 through 494, 529 through 538, 573 through 582, 617 through 627, 661 through 671, 705 through 715, 749

through 759, 793 through 804, 837 through 848, 881 through 892, 925 through 936, and 969 through 981
DeSoto Canyon (OPD NH 16–11)
Whole Blocks: 1 through 15, 45 through 59, and 92 through 102
Partial Blocks: 16, 60, 61, 89 through 91, 103 through 105, and 135 through 147
Henderson (OPD NG 16–05)
Partial Blocks: 114, 158, 202, 246, 290, 334, 335, 378, 379, 422, and 423

The following blocks, whose lease status is currently under appeal:
Keathley Canyon *(Leasing Map NG15–05)* Block 290, 291, and 292
Keathley Canyon *(Leasing Map NG15–05)* Block 246 and 247

II. Statutes and Regulations

Each lease is issued pursuant to OCSLA, 43 U.S.C. 1331–1356, and is subject to OCSLA implementing regulations promulgated pursuant thereto in 30 CFR part 556 and other applicable statutes and regulations in existence upon the effective date of the lease, as well as those applicable statutes enacted and regulations promulgated thereafter, except to the extent that the after-enacted statutes and regulations explicitly conflict with an express provision of the lease. Each lease is also subject to amendments to statutes and regulations, including but not limited to OCSLA, that do not explicitly conflict with an express provision of the lease. The lessee expressly bears the risk that such new or amended statutes and regulations (*i.e.,* those that do not explicitly conflict with an express provision of the lease) may increase or decrease the lessee's obligations under the lease.

III. Lease Terms and Economic Conditions

Lease Terms

OCS Lease Form

BOEM will use Form BOEM–2005 (February 2017) to convey leases resulting from this sale. This lease form may be viewed on BOEM's Web site at *http://www.boem.gov/BOEM-2005/.*

The lease form will be amended to conform with the specific terms, conditions, and stipulations applicable to the individual lease. The terms, conditions, and stipulations applicable to this sale are set forth in the following table:

Primary Term

Primary Terms are summarized in the following table:

Water depth (meters)	Primary term
0 to <400	The primary term is 5 years; the lessee may earn an additional 3 years (i.e., for an 8 year extended primary term) if a well is spudded targeting hydrocarbons below 25,000 feet True Vertical Depth Subsea (TVD SS) during the first 5 years of the lease.
400 to <800	The primary term is 5 years; the lessee will earn an additional 3 years (i.e., for an 8 year extended primary term) if a well is spudded during the first 5 years of the lease.
800 to <1,600	The primary term is 7 years; the lessee will earn an additional 3 years (i.e., for a 10 year extended primary term) if a well is spudded during the first 7 years of the lease.
1,600 +	10 years.

(1) The primary term for a lease in water depths less than 400 meters issued as a result of this sale is 5 years. If the lessee spuds a well targeting hydrocarbons below 25,000 feet TVD SS within the first 5 years of the lease, then the lessee may earn an additional 3 years, resulting in an 8 year primary term. The lessee will earn the 8 year lease term when the well is drilled to a target below 25,000 feet TVD SS, or the lessee may earn the 8 year primary term in cases where the well targets, but does not reach, a depth below 25,000 feet TVD SS due to mechanical or safety reasons, where sufficient evidence is provided that it did not reach that target for reasons beyond the lessee's control.

In order to earn the 8 year extended primary term, the lessee is required to submit to the BOEM GOM Regional Supervisor for Leasing and Plans, as soon as practicable, but in any instance not more than 30 days after completion of the drilling operation, a letter providing the well number, spud date, information demonstrating a target below 25,000 TVD SS and whether that target was reached, and if applicable, any safety, mechanical, or other problems encountered that prevented the well from reaching a depth below 25,000 feet TVD SS. This letter must request confirmation that the lessee earned the 8 year primary term. The extended primary term is not effective unless and until the lessee receives confirmation from BOEM.

The BOEM GOM Regional Supervisor for Leasing and Plans will confirm in writing, within 30 days of receiving the lessee's letter, whether the lessee has earned the extended primary term and update BOEM records accordingly.

A lessee that has earned the 8 year primary term by spudding a well with a hydrocarbon target below 25,000 feet TVD SS during the standard 5 year primary term of the lease will not be granted a suspension for that same period under the regulations at 30 CFR 250.175 because the lease is not at risk of expiring.

(2) The primary term for a lease in water depths ranging from 400 to less than 800 meters issued as a result of this sale is 5 years. If the lessee spuds a well within the 5 year primary term of the lease, the lessee will earn an additional 3 years, resulting in an 8 year primary term.

In order to earn the 8 year primary term, the lessee is required to submit to the BOEM GOM Regional Supervisor for Leasing and Plans, as soon as practicable, but in no case more than 30 days after spudding a well, a letter providing the well number and spud date, and requesting confirmation that the lessee earned the 8 year extended primary term. Within 30 days of receipt of the request, the BOEM GOM Regional Supervisor for Leasing and Plans will provide written confirmation of whether the lessee has earned the extended primary term and update BOEM records accordingly.

(3) The standard primary term for a lease in water depths ranging from 800 to less than 1,600 meters issued as a result of this sale is 7 years. If the lessee spuds a well within the standard 7 year primary term, the lessee will earn an additional 3 years, resulting in a 10 year extended primary term.

In order to earn the 10 year primary term, the lessee is required to submit to the BOEM GOM Regional Supervisor for Leasing and Plans, as soon as practicable, but in no case more than 30 days after spudding a well, a letter providing the well number and spud date, and requesting confirmation that the lessee earned the 10 year primary term. Within 30 days of receipt of the request, the BOEM GOM Regional Supervisor for Leasing and Plans will

provide written confirmation of whether the lessee has earned the extended primary term and update BOEM records accordingly.

(4) The primary term for a lease in water depths 1,600 meters or greater issued as a result of this sale will be 10 years.

Economic Conditions

Minimum Bonus Bid Amounts

- $25.00 per acre or fraction thereof for blocks in water depths less than 400 meters; and
- $100.00 per acre or fraction thereof for blocks in water depths 400 meters or deeper.

BOEM will not accept a bonus bid unless it provides for a cash bonus in an amount equal to, or exceeding, the specified minimum bid of $25.00 per acre or fraction thereof for blocks in water depths less than 400 meters, and $100.00 per acre or fraction thereof for blocks in water depths 400 meters or deeper.

Rental Rates

Annual rental rates are summarized in the following table:

Rental Rates per Acre or Fraction Thereof		
Water depth (meters)	Years 1–5	Years 6, 7, & 8 +
0 to <200	$7.00	$14.00, $21.00, & $28.00.
200 to <400	11.00	$22.00, $33.00, & $44.00.
400 +	11.00	$16.00.

Escalating Rental Rates for Leases With an 8 Year Primary Term in Water Depths Less Than 400 Meters

Any lessee with a lease in less than 400 meters water depth who earns an 8 year primary term will pay an escalating rental rate as shown above. The rental rates after the fifth year for blocks in less than 400 meters water depth will become fixed and no longer escalate, if another well is spudded targeting hydrocarbons below 25,000 feet TVD SS after the fifth year of the lease, and BOEM concurs that such a well has been spudded. In this case, the rental rate will become fixed at the rental rate in effect during the lease year in which the additional well was spudded.

Royalty Rate

- 12.5% for leases situated in water depths less than 200 meters.
- 18.75% for leases situated in water depths of 200 meters and deeper.

Minimum Royalty Rate

- $7.00 per acre or fraction thereof per year for blocks in water depths less than 200 meters; and
- $11.00 per acre or fraction thereof per year for blocks in water depths 200 meters or deeper.

Royalty Suspension Provisions

The issuance of leases with Royalty Suspension Volumes (RSVs) or other forms of royalty relief is authorized under existing BOEM regulations at 30 CFR part 560. The specific details relating to eligibility and implementation of the various royalty relief programs, including those involving the use of RSVs, are codified in Bureau of Safety and Environmental Enforcement (BSEE) regulations at 30 CFR part 203.

In this sale, the only royalty relief program being offered that involves the provision of RSVs relates to the drilling of ultra-deep wells in water depths of less than 400 meters, as described in the following section.

Royalty Suspension Volumes on Gas Production From Ultra-Deep Wells

Leases issued as a result of this sale may be eligible for RSV incentives on gas produced from ultra-deep wells pursuant to 30 CFR part 203. These regulations implement the requirements of the Energy Policy Act of 2005 (42 U.S.C. 13201 *et seq.*). Under this program, wells on leases in less than 400 meters water depth and completed to a drilling depth of 20,000 feet TVD SS or deeper receive a RSV of 35 billion cubic feet on the production of natural gas. This RSV incentive is subject to applicable price thresholds set forth in the regulation at 30 CFR part 203.

IV. Lease Stipulations

Consistent with the Record of Decision for the Final Programmatic Environmental Impact Statement for the 2017–2022 Five Year OCS Oil and Gas Leasing Program, Stipulation No. 5 (Topographic Features) and Stipulation No. 8 (Live Bottom) will apply to every lease sale in the GOM Program Area. One or more of the remaining eight stipulations will be applied to leases issued as a result of this sale, on applicable blocks as identified on the map ''Final, Gulf of Mexico, Oil and Gas Regionwide Lease Sale 249, August 16, 2017, Stipulations and Deferred Blocks'' included in the Final Notice of Sale package. The detailed text of the following stipulations is contained in the ''Lease Stipulations'' section of the Final NOS package.

(1) Military Areas
(2) Evacuation
(3) Coordination
(4) Protected Species
(5) Topographic Features
(6) United Nations Convention on the Law of the Sea Royalty Payment
(7) Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico
(8) Live Bottom
(9) Blocks South of Baldwin County, Alabama
(10) Below Seabed Operations for Rights-of-Use and Easement for Floating Production Facilities

V. Information to Lessees

Information to Lessees (ITLs) provides detailed information on certain issues pertaining to specific oil and gas lease sales. The detailed text of the ITLs for this sale is contained in the ''Information to Lessees'' section of the Final NOS package.

(1) Navigation Safety
(2) Ordnance Disposal Areas
(3) Existing and Proposed Artificial Reefs/Rigs-to-Reefs
(4) Lightering Zones
(5) Indicated Hydrocarbons List
(6) Military Areas
(7) Bureau of Safety and Environmental Enforcement (BSEE) Inspection and Enforcement of Certain U.S. Coast Guard (USCG) Regulations
(8) Significant Outer Continental Shelf Sediment Resource Areas
(9) Notice of Arrival on the Outer Continental Shelf
(10) Bidder/Lessee Notice of Obligations Related to Criminal/Civil Charges and Offenses, Suspension, or Debarment; Disqualification Due to a Conviction under the Clean Air Act or the Clean Water Act
(11) Protected Species
(12) Proposed Expansion of the Flower Garden Banks National Marine Sanctuary

(13) Communication Towers
(14) Deepwater Port Applications for Offshore Oil and Liquefied Natural Gas Facilities
(15) Ocean Dredged Material Disposal Sites
(16) Rights-of-Use and Easement
(17) Industrial Waste Disposal Areas
(18) Gulf Islands National Seashore
(19) Air Quality Permit/Plan Approvals

VI. Maps

The maps pertaining to this lease sale may be viewed on BOEM's Web site at *http://www.boem.gov/Sale-249/*. The following maps also are included in the Final NOS package:

Lease Terms and Economic Conditions Map

The lease terms and economic conditions associated with leases of certain blocks are shown on the map entitled, ''Final, Gulf of Mexico Regionwide Oil and Gas Lease Sale 249, August 16, 2017, Lease Terms and Economic Conditions.''

Stipulations and Deferred Blocks Map

The blocks to which one or more lease stipulations will apply are shown on the map entitled, ''Final, Gulf of Mexico Regionwide Oil and Gas Lease Sale 249, August 16, 2017, Stipulations and Deferred Blocks Map.''

VII. Bidding Instructions

Bids may be submitted in person or by mail at the addresses in the **ADDRESSES** and ''Mailed Bids'' sections. Bidders submitting their bid(s) in person are advised to email *boemgomrleasesales@boem.gov* to provide the names of the company representative(s) that will submit the bid(s). Instructions on how to submit a bid, secure payment of the advance bonus bid deposit (if applicable), and what information must be included with the bid are as follows:

Bid Form

For each block bid upon, a separate sealed bid must be submitted in a sealed envelope (as described below) and include the following:

- Total amount of the bid in whole dollars only;
- Sale number;
- Sale date;
- Each bidder's exact name;
- Each bidder's proportionate interest, stated as a percentage, using a maximum of five decimal places (*e.g.,* 33.33333%);
- Typed name and title, and signature of each bidder's authorized officer;
- Each bidder's qualification number;
- Map name and number or Official Protraction Diagram (OPD) name and number;
- Block number; and
- Statement acknowledging that the bidder(s) understand that this bid legally binds the bidder(s) to comply with all applicable regulations, including a deposit in the amount of one-fifth of the bonus bid amount for any tract bid upon and payment of the balance of the bonus bid upon BOEM's acceptance of high bids.

The information required on the bid(s) is specified in the document ''Bid Form'' contained in the Final NOS package. A blank bid form is provided in the Final NOS package for convenience and may be copied and completed with the necessary information described above.

Bid Envelope

Each bid must be submitted in a separate sealed envelope labeled as follows:

- ''Sealed Bid for GOM Regionwide Sale 249, not to be opened until 9 a.m. Wednesday, August 16, 2017;''
- Map name and number or OPD name and number;
- Block number for block bid upon; and
- The exact name and qualification number of the submitting bidder only.

The Final NOS package includes a sample bid envelope for reference.

Mailed Bids

If bids are mailed, please address the envelope containing the sealed bid envelope(s) as follows:

Attention: Leasing and Financial Responsibility Section, BOEM Gulf of Mexico Region, 1201 Elmwood Park Boulevard WS, –266A, New Orleans, Louisiana 70123–2394, Contains Sealed Bids for GOM Regionwide Sale 249, Please Deliver to Ms. Cindy Thibodeaux or Mr. Greg Purvis, 2nd Floor, Immediately

Please Note: Bidders mailing bid(s) are advised to inform BOEM by email to *boemgomrleasesales@boem.gov* immediately after putting their bid(s) in the mail. This is to ensure receipt of bids prior to the Bid Submission Deadline. If BOEM receives bids later than the Bid Submission Deadline, the BOEM GOM Regional Director (RD) will return those bids unopened to bidders. Please see ''Section XI. Delay of Sale'' regarding BOEM's discretion to extend the Bid Submission Deadline in the case of an unexpected event (*e.g.,* flooding or travel restrictions) and how bidders can obtain more information on such extensions.

Advance Bonus Bid Deposit Guarantee

Bidders that are not currently an OCS oil and gas lease record title holder or designated operator, or those that ever have defaulted on a one-fifth bonus bid deposit, by Electronic Funds Transfer (EFT) or otherwise, must guarantee (secure) the payment of the one-fifth bonus bid deposit prior to bid submission using one of the following four methods:

- Provide a third-party guarantee;
- Amend an area-wide development bond via bond rider;
- Provide a letter of credit; or
- Provide a lump sum payment in advance via EFT.

For more information on EFT procedures, see Section X of this document entitled, ''The Lease Sale.''

Affirmative Action

Prior to bidding, each bidder should file the Equal Opportunity Affirmative Action Representation Form BOEM–2032 (October 2011, *http://www.boem.gov/BOEM-2032/*) and Equal Opportunity Compliance Report Certification Form BOEM–2033 (October 2011, *http://www.boem.gov/BOEM-2033/*) with the BOEM GOM Adjudication Section. This certification is required by 41 CFR part 60 and Executive Order No. 11246, issued September 24, 1965, as amended by Executive Order No. 11375, issued October 13, 1967, and by Executive Order 13672, issued July 21, 2014. Both forms must be on file for the bidder(s) in the GOM Adjudication Section prior to the execution of any lease contract.

Geophysical Data and Information Statement (GDIS)

The GDIS is composed of three parts:

(1) The ''Statement'' page includes the company representatives' information and lists of blocks bid on that used proprietary data and those blocks bid on that did not use proprietary data;

(2) The ''Table'' listing the required data about each proprietary survey used (see below); and

(3) The ''Maps'' being the live trace maps for each survey that are identified in the GDIS statement and table.

Every bidder submitting a bid on a block in GOM Regionwide Sale 249, or participating as a joint bidder in such a bid, must submit at the time of bid submission all three parts of the GDIS. A bidder must submit the GDIS *even if a joint bidder or bidders on a specific block also have submitted a GDIS.* Any speculative data that has been reprocessed externally or ''in-house'' is considered proprietary due to the

proprietary processing and is no longer considered to be speculative.

The GDIS must be submitted in a separate and sealed envelope, and must identify all proprietary data; reprocessed speculative data, and/or any Controlled Source Electromagnetic surveys, Amplitude Versus Offset (AVO), Gravity, or Magnetic data; or other information used as part of the decision to bid or participate in a bid on the block. The bidder and joint bidder must also include a live trace map (*e.g.,* .pdf and ArcGIS shape file) for each proprietary survey that they identify in the GDIS illustrating the actual areal extent of the proprietary geophysical data in the survey (see the ''Example of Preferred Format'' in the Final NOS package for additional information). The shape file should not include cultural information; only the live trace map of the survey itself.

The GDIS statement must include the name, phone number, and full address of a contact person and an alternate who are both knowledgeable about the information and data listed and who are available for 30 days after the sale date. The GDIS statement also must include a list of all blocks bid upon that did not use proprietary or reprocessed pre- or post-stack geophysical data and information as part of the decision to bid or to participate as a joint bidder in the bid. The GDIS statement must be submitted even if no proprietary geophysical data and information were used in bid preparation for the block.

The GDIS table should have columns that clearly state:

- The sale number;
- The bidder company's name;
- The block area and block number bid on;
- The owner of the original data set (*i.e.,* who initially acquired the data);
- The industry's original name of the survey (*e.g.,* E Octopus);
- The BOEM permit number for the survey;
- Whether the data set is a fast track version;
- Whether the data is speculative or proprietary;
- The data type (*e.g.,* 2–D, 3–D, or 4–D; pre-stack or post-stack; and time or depth);
- The Migration algorithm (*e.g.,* Kirchhoff Migration, Wave Equation Migration, Reverse Migration, Reverse Time Migration) of the data and areal extent of bidder survey (*i.e.,* number of line miles for 2–D or number of blocks for 3–D);
- The computer storage size, to the nearest gigabyte, of each seismic data and velocity volume used to evaluate the lease block; and
- Who reprocessed and the data when the date of final reprocessing was completed (month and year).

The computer storage size information will be used in estimating the reproduction costs for each data set, if applicable. The availability of reimbursement of production costs will be determined consistent with 30 CFR 551.13.

If the data was sent to BOEM for bidding in a previous lease sale, list the date the data was processed (month and year) and indicate if AVO data was used in the evaluation. BOEM reserves the right to query about alternate data sets, to quality check, and to compare the listed and alternative data sets to determine which data set most closely meets the needs of the fair market value determination process. An example of the preferred format of the table is included in the Final NOS package, and a blank digital version of the preferred table can be accessed on the GOM Regionwide Sale 249 Web page at *http://www.boem.gov/Sale-249.*

The GDIS maps are live trace maps (in .pdf and ArcGIS shape files) that should be submitted for each proprietary survey that is identified in the GDIS table. They should illustrate the actual areal extent of the proprietary geophysical data in the survey (see the ''Example of Preferred Format'' in the Final NOS package for additional information). As previously stated, the shape file should not include cultural information; only the live trace map of the survey itself. Pursuant to 30 CFR 551.12 and 30 CFR 556.501, as a condition of the sale, the BOEM Gulf of Mexico RD requests that all bidders and joint bidders submit the proprietary data identified on their GDIS within 30 days after the lease sale (unless they are notified after the lease sale that BOEM has withdrawn the request). This request only pertains to proprietary data that is not commercially available. Commercially available data is not required to be submitted to BOEM, and reimbursement will not be provided if such data is submitted by a bidder. The BOEM Gulf of Mexico RD will notify bidders and joint bidders of any withdrawal of the request, for all or some of the proprietary data identified on the GDIS, within 15 days of the lease sale. Pursuant to 30 CFR part 551 and 30 CFR 556.501, as a condition of this sale, all bidders that are required to submit data must ensure that the data is received by BOEM no later than the 30th day following the lease sale, or the next business day if the submission deadline falls on a weekend or Federal holiday.

The data must be submitted to BOEM at the following address: Bureau of Ocean Energy Management, Resource Studies, GM 881A, 1201 Elmwood Park Blvd., New Orleans, LA 70123–2304.

BOEM recommends that bidders mark the submission's external envelope as ''Deliver Immediately to DASPU.'' BOEM also recommends that the data be submitted in an internal envelope, or otherwise marked, with the following designation: ''Proprietary Geophysical Data Submitted Pursuant to GOM Regionwide Sale 249 and used during <Bidder Name's> evaluation of Block <Block Number>.''

In the event a person supplies any type of data to BOEM, that person must meet the following requirements to qualify for reimbursement:

(1) The person must be registered with the System for Award Management (SAM), formerly known as the Central Contractor Registration (CCR). CCR usernames will not work in SAM. A new SAM User Account is needed to register or update an entity's records. The Web site for registering is *https://www.sam.gov.*

(2) The persons must be enrolled in the Department of the Treasury's Invoice Processing Platform (IPP) for electronic invoicing. The person must enroll in the IPP at *https://www.ipp.gov/.* Access then will be granted to use the IPP for submitting requests for payment. When a request for payment is submitted, it must include the assigned Purchase Order Number on the request.

(3) The persons must have a current On-line Representations and Certifications Application at *https://www.sam.gov.*

Please Note: The GDIS Information Table must be submitted digitally, preferably as an Excel spreadsheet, on a CD, DVD, or any USB external drive (formatted for Windows), along with the seismic data map(s). If bidders have any questions, please contact Ms. Dee Smith at (504) 736–2706, or Mr. John Johnson at (504) 736–2455.

Bidders should refer to Section X of this document, ''The Lease Sale: Acceptance, Rejection, or Return of Bids,'' regarding a bidder's failure to comply with the requirements of the Final NOS, including any failure to submit information as required in the Final NOS or Final NOS package.

Telephone Numbers/Addresses of Bidders

BOEM requests that bidders provide this information in the suggested format prior to or at the time of bid submission. The suggested format is included in the Final NOS package. The form must not be enclosed inside the sealed bid envelope.

Additional Documentation

BOEM may require bidders to submit other documents in accordance with 30 CFR 556.107, 30 CFR 556.401, 30 CFR 556.501, and 30 CFR 556.513.

VIII. Bidding Rules and Restrictions

Restricted Joint Bidders

On April 28, 2017, BOEM published the most recent List of Restricted Joint Bidders in the **Federal Register** at 82 FR 19750. Potential bidders are advised to refer to the **Federal Register**, prior to bidding, for the most current List of Restricted Joint Bidders in place at the time of the lease sale. Please refer to the joint bidding provisions at 30 CFR 556.511–515.

Authorized Signatures

All signatories executing documents on behalf of bidder(s) must execute the same in conformance with the BOEM qualification records. Bidders are advised that BOEM considers the signed bid to be a legally binding obligation on the part of the bidder(s) to comply with all applicable regulations, including payment of one-fifth of the bonus bid on all high bids. A statement to this effect is included on each bid form (see the document ''Bid Form'' contained in the Final NOS package).

Unlawful Combination or Intimidation

BOEM warns bidders against violation of 18 U.S.C. 1860, prohibiting unlawful combination or intimidation of bidders.

Bid Withdrawal

Bids may be withdrawn only by written request delivered to BOEM prior to the Bid Submission Deadline. The withdrawal request must be on company letterhead and must contain the bidder's name, its BOEM qualification number, the map name/number, and the block number(s) of the bid(s) to be withdrawn. The withdrawal request must be executed in conformance with the BOEM qualification records. Signatories must be authorized to bind their respective legal business entity (*e.g.,* a corporation, partnership, or LLC) and documentation must be on file with BOEM setting forth this authority to act on the business entity's behalf for purposes of bidding and lease execution under OCSLA (*e.g.,* business charter or articles, incumbency certificate, or power of attorney). The name and title of the authorized signatory must be typed under the signature block on the withdrawal request. The BOEM Gulf of Mexico RD, or the RD's designee, will indicate their approval by signing and dating the withdrawal request.

Bid Rounding

Minimum bonus bid calculations, including rounding, for all blocks are shown in the document ''List of Blocks Available for Leasing'' included in the Final NOS package. The bonus bid amount must be stated in whole dollars. If the acreage of a block contains a decimal figure, then prior to calculating the minimum bonus bid, BOEM will round up to the next whole acre. The appropriate minimum rate per acre will then be applied to the whole (rounded up) acreage. If this calculation results in a fractional dollar amount, the minimum bonus bid will be rounded up to the next whole dollar amount. The bonus bid amount must be greater than or equal to the minimum bonus bid in whole dollars.

IX. Forms

The Final NOS package includes instructions, samples, and/or the preferred format for the following items. BOEM strongly encourages bidders to use these formats. Should bidders use another format, they are responsible for including all the information specified for each item in the Final NOS package.

(1) Bid Form
(2) Sample Completed Bid
(3) Sample Bid Envelope
(4) Sample Bid Mailing Envelope
(5) Telephone Numbers/Addresses of Bidders Form
(6) GDIS Form
(7) GDIS Envelope Form

X. The Lease Sale

Bid Opening and Reading

Sealed bids received in response to the Final NOS will be opened at the place, date, and hour specified under the ''DATES'' section of this Final NOS. The venue will not be open to the public. Instead, the bid opening will be available for the public to view on BOEM's Web site at *www.boem.gov* via live-streaming. The opening of the bids is for the sole purpose of publicly announcing and recording the bids received; no bids will be accepted or rejected at that time.

Bonus Bid Deposit for Apparent High Bids

Each bidder submitting an apparent high bid must submit a bonus bid deposit to the Office of Natural Resources Revenue (ONRR) equal to one-fifth of the bonus bid amount for each such bid. A copy of the notification of the high bidder's one-fifth bonus bid amount may be obtained on the BOEM Web site at *http://www.boem.gov/Sale-249* under the heading ''Notification of EFT ⅕ Bonus Liability'' after 1:00 p.m. on the day of the sale. All payments must be deposited electronically into an interest-bearing account in the U.S. Treasury by 11:00 a.m. Eastern Time the day following the bid reading (no exceptions). Account information is provided in the ''Instructions for Making Electronic Funds Transfer Bonus Payments'' found on the BOEM Web site identified above.

BOEM requires bidders to use EFT procedures for payment of one-fifth bonus bid deposits for GOM Regionwide Sale 249 following the detailed instructions contained on the ONRR Payment Information Web page at *http://www.onrr.gov/FM/PayInfo.htm.* Acceptance of a deposit does not constitute and will not be construed as acceptance of any bid on behalf of the United States.

Withdrawal of Blocks

The United States reserves the right to withdraw any block from this lease sale prior to issuance of a written acceptance of a bid for the block.

Acceptance, Rejection, or Return of Bids

The United States reserves the right to reject any and all bids. No bid will be accepted, and no lease for any block will be awarded to any bidder, unless:

(1) The bidder has complied with all requirements of the Final NOS, including those set forth in the documents contained in the Final NOS package, and applicable regulations;

(2) The bid is the highest valid bid; and

(3) The amount of the bid has been determined to be adequate by the authorized officer.

Any bid submitted that does not conform to the requirements of the Final NOS and Final NOS package, OCSLA, or other applicable statute or regulation will be rejected and returned to the bidder. The U.S. Department of Justice and the Federal Trade Commission will review the results of the lease sale for antitrust issues prior to the acceptance of bids and issuance of leases.

Bid Adequacy Review Procedures for GOM Regionwide Sale 249

To ensure that the U.S. Government receives a fair return for the conveyance of leases from this sale, high bids will be evaluated in accordance with BOEM's bid adequacy procedures, which are available at *http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Regional-Leasing/Gulf-of-Mexico-Region/Bid-Adequacy-Procedures.aspx.*

Lease Award

BOEM requires each bidder awarded a lease to:

(1) Execute all copies of the lease (Form BOEM–2005 (February 2017), as amended);

(2) Pay by EFT the balance of the bonus bid amount and the first year's rental for each lease issued in accordance with the requirements of 30 CFR 218.155 and 556.520(a); and

(3) Satisfy the bonding requirements of 30 CFR part 556, subpart I, as amended. ONRR requests that only one transaction be used for payment of the balance of the bonus bid amount and the first year's rental.

XI. Delay of Sale

The BOEM Gulf of Mexico RD has the discretion to change any date, time, and/or location specified in the Final NOS package in the case of an event that the BOEM Gulf of Mexico RD deems may interfere with the carrying out of a fair and orderly lease sale process. Such events could include, but are not limited to, natural disasters (*e.g.,* earthquakes, hurricanes, and floods), wars, riots, acts of terrorism, fires, strikes, civil disorder, or other events of a similar nature. In case of such events, bidders should call (504) 736–0557, or access the BOEM Web site at *http://www.boem.gov,* for information regarding any changes.

Dated: July 11, 2017.

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

[FR Doc. 2017–14868 Filed 7–13–17; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM–2017–0012; MMAA104000]

Gulf of Mexico, Outer Continental Shelf (OCS), Oil and Gas Lease Sale 249

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of availability of a Record of Decision.

SUMMARY: The Bureau of Ocean Energy Management (BOEM) is announcing the availability of a Record of Decision for proposed Gulf of Mexico (GOM) regionwide oil and gas Lease Sale 249. This Record of Decision identifies BOEM's selected alternative for proposed Lease Sale 249, which is analyzed in the *Gulf of Mexico OCS Oil and Gas Lease Sales: 2017–2022; Gulf of Mexico Lease Sales 249, 250, 251, 252, 253, 254, 256, 257, 259, and 261; Final Multisale Environmental Impact Statement* (2017–2022 GOM Multisale EIS).

ADDRESSES: The Record of Decision and associated information are available on BOEM's Web site at *http://www.boem.gov/nepaprocess/.*

FOR FURTHER INFORMATION CONTACT: For more information on the Record of Decision, you may contact Mr. Greg Kozlowski, Deputy Regional Supervisor, Office of Environment, by telephone at 504–736–2512 or by email at *greg.kozlowski@boem.gov.*

SUPPLEMENTARY INFORMATION: In the GOM Multisale EIS, BOEM evaluated five alternatives that are summarized below in regards to proposed Lease Sale 249:

Alternative A—Regionwide OCS Lease Sale: This is BOEM's preferred alternative. This alternative would allow for a proposed GOM regionwide lease sale encompassing all three planning areas: The Western Planning Area (WPA); the Central Planning Area (CPA); and the Eastern Planning Area (EPA). Under this alternative, BOEM would offer for lease all available unleased blocks within the proposed regionwide lease sale area for oil and gas operations with the following exceptions: Whole and portions of blocks deferred by the Gulf of Mexico Energy Security Act of 2006; blocks that are adjacent to or beyond the United States' Exclusive Economic Zone in the area known as the northern portion of the Eastern Gap; and whole and partial blocks within the current boundary of the Flower Garden Banks National Marine Sanctuary. The unavailable blocks are listed in Section I of the Final Notice of Sale for Lease Sale 249. The proposed regionwide lease sale area encompasses about 91.93 million acres (ac). As of June 2017, approximately 75.7 million ac of the proposed regionwide lease sale area are currently available for lease. The estimated amounts of resources projected to be leased, discovered, developed, and produced as a result of the proposed regionwide lease sale are 0.211–1.118 billion barrels of oil (BBO) and 0.547–4.424 trillion cubic feet (Tcf) of gas.

Alternative B—*Regionwide OCS Lease Sale Excluding Available Unleased Blocks in the WPA Portion of the Proposed Lease Sale Area:* This alternative would offer for lease all available unleased blocks within the CPA and EPA portions of the proposed lease sale area for oil and gas operations, with the following exceptions: Whole and portions of blocks deferred by the Gulf of Mexico Energy Security Act of 2006; and blocks that are adjacent to or beyond the United States' Exclusive Economic Zone in the area known as the northern portion of the Eastern Gap. The proposed CPA/EPA lease sale area encompasses about 63.35 million ac. As of June 2017, approximately 49.8 million ac of the proposed CPA/EPA lease sale area are currently available for lease. The estimated amounts of resources projected to be leased, discovered, developed, and produced as a result of the proposed lease sale under Alternative B are 0.185–0.970 BBO and 0.44–3.672 Tcf of gas.

Alternative C—*Regionwide OCS Lease Sale Excluding Available Unleased Blocks in the CPA and EPA Portions of the Proposed Lease Sale Area:* This alternative would offer for lease all available unleased blocks within the WPA portion of the proposed lease sale area for oil and gas operations, with the following exception: whole and partial blocks within the current boundary of the Flower Garden Banks National Marine Sanctuary. The proposed WPA lease sale area encompasses about 28.58 million acres (ac). As of June 2017, approximately 25.9 million ac of the proposed WPA lease sale area are currently available for lease. The estimated amounts of resources projected to be leased, discovered, developed, and produced as a result of the proposed lease sale under Alternative C are 0.026–0.148 BBO and 0.106–0.752 Tcf of gas.

Alternative D—Alternative A, B, or C, with the Option to Exclude Available Unleased Blocks Subject to the Topographic Features, Live Bottom (Pinnacle Trend), and/or Blocks South of Baldwin County, Alabama, Stipulations: This alternative could be combined with any of the Action alternatives above (*i.e.,* Alternatives A, B, or C) and would allow the flexibility to offer leases under any alternative with additional exclusions. Under Alternative D, the decisionmaker could exclude from leasing any available unleased blocks subject to any one and/or a combination of the following stipulations: Topographic Features Stipulation; Live Bottom (Pinnacle Trend) Stipulation; and Blocks South of Baldwin County, Alabama, Stipulation (not applicable to Alternative C). This alternative considered blocks subject to these stipulations because these areas have been emphasized in scoping, can be geographically defined, and adequate information exists regarding their ecological importance and sensitivity to OCS oil- and gas-related activities.

A total of 207 blocks within the CPA and 160 blocks in the WPA are affected

by the Topographic Features Stipulation. There are currently no identified topographic features protected under this stipulation in the EPA. The Live Bottom Stipulation covers the pinnacle trend area of the CPA, affecting a total of 74 blocks. Under Alternative D, the number of blocks that would become unavailable for lease represents only a small percentage of the total number of blocks to be offered under Alternative A, B, or C (<4%, even if blocks subject to all three stipulations were excluded). Therefore, Alternative D could reduce offshore infrastructure and activities, but Alternative D may (and BOEM believes it is more reasonable to expect) only shift the location of offshore infrastructure and activities farther from these sensitive zones and not lead to a reduction in overall offshore infrastructure and activities.

Alternative E—No Action: This alternative is not holding the proposed regionwide Lease Sale 249 and is identified as the environmentally preferred alternative.

Lease Stipulations—The GOM Multisale EIS describes all lease stipulations, which are included in the Final Notice of Sale Package. In the Record of Decision for the Five Year Program, the Secretary required the protection of Biologically Sensitive Underwater Features in all Gulf oil and gas lease sales as programmatic mitigation; therefore, the application of the Topographic Features Stipulation and Live Bottom (Pinnacle Trend) Stipulation are being adopted and applied for applicable designated lease blocks in Lease Sale 249.

The additional eight lease stipulations for proposed regionwide Lease Sale 249 are the Military Areas Stipulation; the Evacuation Stipulation; the Coordination Stipulation; the Blocks South of Baldwin County, Alabama, Stipulation; the Protected Species Stipulation; the United Nations Convention on the Law of the Sea Royalty Payment Stipulation; the Below Seabed Operations Stipulation; and the Stipulation on the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico. These 10 stipulations will be added as lease terms where applicable and will be enforceable as part of the lease. Appendix B of the GOM Multisale EIS provides a list and description of standard postlease conditions of approval that may be required by BOEM or the Bureau of Safety and Environmental Enforcement as a result of plan and permit review processes for the Gulf of Mexico OCS Region.

After careful consideration, BOEM has selected the preferred alternative (Alternative A) in the 2017–2022 GOM Multisale EIS for proposed Lease Sale 249. BOEM's selection of the preferred alternative meets the purpose and need for the proposed action, as identified in the GOM Multisale EIS, and reflects an orderly resource development with protection of the human, marine, and coastal environments while also ensuring that the public receives an equitable return for these resources and that free-market competition is maintained.

Authority: This notice of availability of a Record of Decision is published pursuant to the regulations (40 CFR part 1505) implementing the provisions of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: July 11, 2017.

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

[FR Doc. 2017–14870 Filed 7–13–17; 8:45 am]

BILLING CODE 4310–MR–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1010]

Certain Semiconductor Devices, Semiconductor Device Packages, and Products Containing Same; Notice of Request for Statements on the Public Interest

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the presiding administrative law judge (''ALJ'') has issued a recommended determination on remedy and bonding in the above-captioned investigation. The Commission is soliciting submissions from the public on any public interest issues raised by the recommended relief. The ALJ recommended that a limited exclusion order issue against certain semiconductor devices, semiconductor device packages, and products containing the same, imported by respondents Broadcom Limited of Singapore and Broadcom Corp. of Irvine, California (collectively, ''Broadcom''), as well as the following named respondents who import products containing Broadcom's semiconductor devices: Arista Networks, Inc. of Santa Clara, California; ARRIS International plc, ARRIS Group, Inc., ARRIS Solutions, Inc., ARRIS Enterprises, and Pace Ltd., all of Suwanee, Georgia, as well as Pace Americas LLC and Pace USA LLC, both of Boca Raton, Florida, and ARRIS Technology, Inc. of Horsham, Pennsylvania (collectively ''ARRIS''); ASUSTek Computer, Inc. of Taipei, Taiwan, and ASUS Computer International of Fremont, California (collectively, ''ASUS''); Comcast Cable Communications, LLC, Comcast Cable Communications Management, LLC, and Comcast Business Communications, LLC, each of Philadelphia, Pennsylvania (collectively, ''Comcast''); HTC Corporation of Taoyuan, Taiwan, and HTC America Inc. of Bellevue, Washington (collectively, ''HTC''); NETGEAR, Inc. of San Jose, California; Technicolor S.A. of Issy-Les-Moulineaux, France, as well as Technicolor USA, Inc. and Technicolor Connected Home USA LLC, both of Indianapolis, Indiana (collectively, ''Technicolor''). The ALJ also recommended that cease and desist orders be directed to these respondents. This Notice is for public statements only.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–2532. Copies of non-confidential documents filed in connection with this investigation, including the complaint and the public record, can be accessed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov,* and are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (*https://www.usitc.gov*). Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: Section 337 of the Tariff Act of 1930 provides that if the Commission finds a violation it shall exclude the articles concerned from the United States:

unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds

that such articles should not be excluded from entry.

19 U.S.C. 1337(d)(1). A similar provision applies to cease-and-desist orders. 19 U.S.C. 1337(f)(1).

The Commission is interested in further development of the record on the public interest in these investigations. Accordingly, members of the public are invited to file, pursuant to 19 CFR 210.50(a)(4), submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the administrative law judge's recommended determination on remedy and bonding issued in this investigation on June 30, 2017. Comments should address whether issuance of the limited exclusion order and the cease and desist orders (''the recommended remedial orders'') in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4). In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the recommended remedial orders are used in the United States;

(ii) Identify any public health, safety, or welfare concerns in the United States relating to the recommended remedial orders;

(iii) Identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) Indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the recommended remedial orders within a commercially reasonable time; and

(v) Explain how the recommended remedial orders would impact consumers in the United States.

Written submissions must be filed no later than by close of business on August 7, 2017.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the investigation number (''Inv. No. 972'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, *https://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf*). Persons with questions regarding filing should contact the Secretary ((202) 205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes (all contract personnel will sign appropriate nondisclosure agreements). All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: July 10, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017–14761 Filed 7–13–17; 8:45 am]

BILLING CODE 7020–02–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–2017–054]

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when agencies no longer need them for current Government business. The records schedules authorize agencies to preserve records of continuing value in the National Archives of the United States and to destroy, after a specified period, records lacking administrative, legal, research, or other value. NARA publishes notice in the **Federal Register** for records schedules in which agencies propose to destroy records they no longer need to conduct agency business. NARA invites public comments on such records schedules.

DATES: NARA must receive requests for copies in writing by August 14, 2017. Once NARA finishes appraising the records, we will send you a copy of the schedule you requested. We usually prepare appraisal memoranda that contain additional information concerning the records covered by a proposed schedule. You may also request these. If you do, we will also provide them once we have completed the appraisal. You have 30 days after we send to you these requested documents in which to submit comments.

ADDRESSES: You may request a copy of any records schedule identified in this notice by contacting Records Appraisal and Agency Assistance (ACRA) using one of the following means:

Mail: NARA (ACRA), 8601 Adelphi Road, College Park, MD 20740–6001.

Email: request.schedule@nara.gov.

Fax: 301–837–3698.

You must cite the control number, which appears in parentheses after the name of the agency that submitted the schedule, and a mailing address. If you would like an appraisal report, please include that in your request.

FOR FURTHER INFORMATION CONTACT: Margaret Hawkins, Director, by mail at Records Appraisal and Agency Assistance (ACRA), National Archives

and Records Administration, 8601 Adelphi Road, College Park, MD 20740–6001, by phone at 301–837–1799, or by email at *request.schedule@nara.gov.*

SUPPLEMENTARY INFORMATION: NARA publishes notice in the **Federal Register** for records schedules they no longer need to conduct agency business. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

Each year, Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing records retention periods and submit these schedules for NARA's approval. These schedules provide for timely transfer into the National Archives of historically valuable records and authorize the agency to dispose of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless otherwise specified. An item in a schedule is media neutral when an agency may apply the disposition instructions to records regardless of the medium in which it creates or maintains the records. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is expressly limited to a specific medium. (See 36 CFR 1225.12(e).)

Agencies may not destroy Federal records without Archivist of the United States' approval. The Archivist approves destruction only after thoroughly considering the records' administrative use by the agency of origin, the rights of the Government and of private people directly affected by the Government's activities, and whether or not the records have historical or other value.

In addition to identifying the Federal agencies and any subdivisions requesting disposition authority, this notice lists the organizational unit(s) accumulating the records (or notes that the schedule has agency-wide applicability when schedules cover records that may be accumulated throughout an agency); provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction); and includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it also includes information about the records. You may request additional information about the disposition process at the addresses above.

Schedules Pending

1. Department of Agriculture, Farm Service Agency (DAA–0145–2017–0022, 1 item, 1 temporary item). Records related to routine acreage determinations, including correspondence and completed forms.

2. Department of Agriculture, Farm Service Agency (DAA–0145–2017–0023, 2 items, 2 temporary items). Records related to the Civil Rights Program, including general correspondence, reports, evaluations, plans, and discrimination complaints.

3. Department of the Army, Agency-wide (DAA–AU–2017–0002, 1 item, 1 temporary item). Master files of an electronic information system that contains laboratory requests and processes inspections.

4. Department of the Army, Agency-wide (DAA–AU–2017–0003, 1 item, 1 temporary item). Master files of an electronic information system that contains maintenance and system usage information on ground and air vehicles.

5. Department of Homeland Security, Immigration and Customs Enforcement (DAA–0567–2015–0013, 11 items, 11 temporary items). Records related to detainees, including incidents of sexual abuse and assault, escapes, deaths while in agency custody, telephone rates charged to detainees, alternatives to detention, logs and reports on status of detainees and detention facilities, and location and segregation of detainees.

6. Department of the Treasury, Internal Revenue Service (DAA–0058–2017–0009, 1 item, 1 temporary item). Records of the Small Business and Self-Employed Collections Division including referrals from taxpayers of alleged violations in which no further action is taken.

7. General Services Administration, Agency-wide (DAA–0269–2016–0006, 7 items, 4 temporary items). Program management records including internal program case files, management reports and supplementary materials, and routine program records. Proposed for permanent retention are management decisions, issuances, and directives, significant reports and studies, and strategic evaluation and planning records.

Laurence Brewer,

Chief Records Officer for the U.S. Government.

[FR Doc. 2017–14834 Filed 7–13–17; 8:45 am]

BILLING CODE 7515–01–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meeting

TIME AND DATE: 10:00 a.m., Thursday, July 20, 2017.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street (All visitors must use Diagonal Road Entrance), Alexandria, VA 22314–3428.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Share Insurance Fund Quarterly Report.
2. NCUA's Rules and Regulations, Emergency Mergers.
3. Board Briefing, 2017 Mid-Session Budget.
4. Request for Comments, Closing the Stabilization Fund and Setting the Share Insurance Fund Normal Operating Level.
5. NCUA's Rules and Regulations, Share Insurance Fund Equity Distributions.

FOR FURTHER INFORMATION CONTACT: Gerard Poliquin, Secretary of the Board, Telephone: 703–518–6304.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2017–14947 Filed 7–12–17; 4:15 pm]

BILLING CODE 7535–01–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meeting

TIME AND DATE: 3:00 p.m., Wednesday, July 19, 2017.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314–3428.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Supervisory Matter. Closed pursuant to Exemptions (4), and (8).
2. Request for Approval. Closed pursuant to Exemption (6).
3. Personnel. Closed pursuant to Exemptions (2), (6), and (9)(ii).

FOR FURTHER INFORMATION CONTACT: Gerard Poliquin, Secretary of the Board, Telephone: 703–518–6304.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2017–14924 Filed 7–12–17; 4:15 pm]

BILLING CODE 7535–01–P

EXECUTIVE OFFICE OF THE PRESIDENT

Office of National Drug Control Policy

Rescheduling Notification of the Public Teleconference of the President's Commission on Combating Drug Addiction and the Opioid Crisis (Commission)

AGENCY: Office of National Drug Control Policy (ONDCP).

ACTION: Notice of rescheduling of teleconference.

SUMMARY: ONDCP is issuing this notice to advise the public that the Commission is rescheduling the teleconference of the President's Commission on Combating Drug Addiction and the Opioid Crisis that was previously scheduled for Monday, July 17th at 4 p.m. EST. The purpose of the meeting is to review a draft interim report that will be posted on ONDCP's Commission Web site listed below before the teleconference.

DATES: The teleconference will be held on Monday, July 31st at 4 p.m. EST.

ADDRESSES: There will be no physical address. The public may call (800) 260–0718 (Access Code 426289) to listen. Please call five minutes before the start time. If you are part of an organization, please try to consolidate use to as few lines as possible.

FOR FURTHER INFORMATION CONTACT: General information concerning the Commission and its meetings can be found on ONDCP's Web site at *https://www.whitehouse.gov/ondcp/presidents-commission.* Any member of the public who wants to obtain information about the Commission or its meetings that is not already on ONDCP's Web site or who wants to submit written comments for the Commission's consideration may contact Michael Passante, Designated Federal Officer (DFO) via email at *commission@ondcp.eop.gov* or telephone at (202) 395–6709. Please note that ONDCP may post such written comments publicly on our Web site, including names and contact information that are submitted.

SUPPLEMENTARY INFORMATION: The Commission was established in accordance with E.O. 13784 of March 29, 2017, the Commission's charter, and the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2, to obtain advice and recommendations for the President regarding drug issues. The Executive Order, charter, and information on the Members of the Commission are available on ONDCP's Web site. The Commission will function solely as an advisory body and will make recommendations regarding policies and practices for combating drug addiction with particular focus on the current opioid crisis in the United States. The Commission's final report is due October 1, 2017 unless there is an extension. Per E.O. 13784, the Commission shall:

a. Identify and describe the existing Federal funding used to combat drug addiction and the opioid crisis;

b. Assess the availability and accessibility of drug addiction treatment services and overdose reversal throughout the country and identify areas that are underserved;

c. Identify and report on best practices for addiction prevention, including healthcare provider education and evaluation of prescription practices, collaboration between State and Federal officials, and the use and effectiveness of State prescription drug monitoring programs;

d. Review the literature evaluating the effectiveness of educational messages for youth and adults with respect to prescription and illicit opioids;

e. Identify and evaluate existing Federal programs to prevent and treat drug addiction for their scope and effectiveness, and make recommendations for improving these programs; and;

f. Make recommendations to the President for improving the Federal response to drug addiction and the opioid crisis.

Dated: July 11, 2017.

Michael Passante,

Acting General Counsel, Designated Federal Officer.

[FR Doc. 2017–14835 Filed 7–13–17; 8:45 am]

BILLING CODE 3280–F5–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0001]

Sunshine Act Meeting Notice

DATE: Weeks of July 17, 24, 31, August 7, 14, 21, 2017.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of July 17, 2017

There are no meetings scheduled for the week of July 17, 2017.

Week of July 24, 2017—Tentative

There are no meetings scheduled for the week of July 24, 2017.

Week of July 31, 2017—Tentative

There are no meetings scheduled for the week of July 31, 2017.

Week of August 7, 2017—Tentative

There are no meetings scheduled for the week of August 7, 2017.

Week of August 14, 2017—Tentative

There are no meetings scheduled for the week of August 14, 2017.

Week of August 21, 2017—Tentative

There are no meetings scheduled for the week of August 21, 2017.

* * * * *

The schedule for Commission meetings is subject to change on short notice. For more information or to verify the status of meetings, contact Denise McGovern at 301–415–0681 or via email at *Denise.McGovern@nrc.gov.*

* * * * *

The NRC Commission Meeting Schedule can be found on the Internet at: *http://www.nrc.gov/public-involve/public-meetings/schedule.html.*

* * * * *

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301–287–0739, by videophone at 240–428–3217, or by email at *Kimberly.Meyer-Chambers@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

* * * * *

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301–415–1969), or email *Brenda.Akstulewicz@nrc.gov* or *Patricia.Jimenez@nrc.gov.*

Dated: July 12, 2017.

Denise L. McGovern,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2017–14933 Filed 7–12–17; 4:15 pm]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0251]

Final Guidance Documents for Subsequent License Renewal

AGENCY: Nuclear Regulatory Commission.

ACTION: NUREG; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing final NUREG–2191, ''Generic Aging Lessons Learned for Subsequent License Renewal (GALL–SLR) Report,'' Vol. 1 and Vol. 2, and NUREG–2192, ''Standard Review Plan for Review of Subsequent License Renewal Applications for Nuclear Power Plants'' (SRP–SLR). These final documents describe methods acceptable to the NRC staff for granting a subsequent license renewal in accordance with the license renewal regulations, as well as techniques that will be used by the NRC staff in evaluating applications for subsequent license renewal.

DATES: July 14, 2017.

ADDRESSES: Please refer to Docket ID NRC–2015–0251 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

• *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0251. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ''Generic Aging Lessons Learned for Subsequent License Renewal (GALL–SLR) Report,'' Vol. 1.; ''Generic Aging Lessons Learned for Subsequent License Renewal (GALL–SLR) Report,'' Vol. 2, and the ''Standard Review Plan for Review of Subsequent License Renewal Applications for Nuclear Power Plants'' (SRP–SLR) are available in ADAMS under Accession Nos. ML17187A031, ML17187A204 and ML17188A158, respectively.

• *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Bennett Brady, telephone: 301–415–2981, email: *Bennett.Brady@nrc.gov* or Sheldon Stuchell, telephone: 301–415–1213, email: *Sheldon.Stuchell@nrc.gov;* both are staff of the Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Discussion

The Atomic Energy Act (AEA) of 1954, as amended, authorizes the NRC to issue 40-year initial licenses and upon application and approval, subsequently renew licenses for nuclear power reactors. The NRC's regulations permit these licenses to be renewed beyond the initial 40-year term for an additional period of time, limited to 20-year increments per renewal, based on the outcome of an assessment to determine if the nuclear facility can continue to operate safely during the period of extended operation. There are no limitations in the AEA or the NRC's regulations restricting the number of times a license may be renewed.

The nuclear power industry has sent letters of intent to apply for subsequent license renewals in fiscal years 2018 and 2019. Subsequent License Renewal is a term referring to all license renewals allowing a plant to operate beyond the 60-year period (40-year of an initial operating license and a 20-year period of the first license renewal). Based on a survey conducted by the nuclear power industry and provided to the NRC, the NRC staff believes that additional applications for subsequent license renewal will be submitted in future years.

The NRC developed guidance for licensees that intend to apply for subsequent license renewal. The guidance documents for first license renewal (*i.e.,* for operation from 40 to 60 years), the Generic Aging Lessons Learned Report, Revision 2 (GALL Report Rev. 2, ADAMS Accession No. ML103490041), and the Standard Review Plan for Review of License Renewal Applications, Revision 2 (SRP–LR Rev. 2, ADAMS Accession No. ML103490036) were revised to reflect aging differences for increased operating time from 60 to 80 years. The guidance was also revised to consider new operating experience and provide information identified as missing since the release of GALL Report Rev. 2. The GALL–SLR Report and SRP–SLR also include changes that have been previously issued for public comment as part of the staff's license renewal Interim Staff Guidance (ISG) process. These ISGs can be found at *http://www.nrc.gov/reading-rm/doc-collections/isg/license-renewal.html.* These ISGs (ML12286A275, ML11297A085, ML12138A296, ML12270A436, ML12044A215, ML12352A057, ML13227A361, ML15308A018, and ML16237A383) have been incorporated into the GALL–SLR Report and the associated sections of the SRP–SLR. The NRC has previously received public comments on these ISGs, and is not requesting additional comments.

A notice of availability, requesting comment on the draft Guidance Documents was published in the **Federal Register** on December 23, 2015 (80 FR 79956). The public comment period ended on February 29, 2016. The NRC received 508 comments on these draft guidance documents. The NRC also published a supplement to the draft guidance documents in the **Federal Register** on March 29, 2016 (81 FR 17500). The public comment period ended on May 31, 2016. The NRC reviewed and dispositioned all of the comments and is publishing the disposition of the comments and the technical bases for their disposition in companion NUREGs. The NRC's resolution of these comments are incorporated into the final subsequent license renewal guidance documents.

II. Congressional Review Act

This NUREG is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

Dated at Rockville, Maryland, this 7th day of July 2017.

For the Nuclear Regulatory Commission.

George A. Wilson Jr.,

Director, Division of License Renewal, Office of Nuclear Reactor Regulation.

[FR Doc. 2017–14747 Filed 7–13–17; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2017–156 and CP2017–220]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning negotiated service agreements. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* July 18, 2017.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's Web site (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3007.40.

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3010, and 39 CFR part 3020, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s).:* MC2017–156 and CP2017–220; *Filing Title:* Request of the United States Postal Service to Add Priority Mail Contract 332 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data; *Filing Acceptance Date:* July 10, 2017; *Filing Authority:* 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.; Public Representative:* Matthew R. Ashford; *Comments Due:* July 18, 2017.

This notice will be published in the **Federal Register**.

Stacy L. Ruble,

Secretary.

[FR Doc. 2017–14796 Filed 7–13–17; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Effective date:* July 14, 2017.

FOR FURTHER INFORMATION CONTACT: Valerie J. Pelton, 202–268–3049.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on July 10, 2017, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 332 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–156, CP2017–220.

Stanley F. Mires,

Attorney, Federal Compliance.

[FR Doc. 2017–14765 Filed 7–13–17; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81107; File No. SR–MRX–2017–11]

Self-Regulatory Organizations; Nasdaq MRX, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Specify an Exception to the Manner in Which Market Maker Immediate-or-Cancel Orders Will Be Handled

July 10, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 27, 2017, Nasdaq MRX, LLC (''MRX'' or the ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend MRX Rule 715(b)(3) to specify an exception to the manner in which Immediate-or-Cancel Orders will be handled by the System when entered through the Specialized Quote Feed [3] (''SQF'') protocol.

The text of the proposed rule change is available on the Exchange's Web site at *www.ise.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] SQF is an interface that allows Market Makers to connect and send quotes, Immediate-or-Cancel Orders and auction responses into MRX.

proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to amend MRX Rule 715(b)(3) to specify the manner in which an Immediate-or-Cancel Order will interact with certain order protections when entered through SQF. An Immediate-or-Cancel Order is defined as a limit order that is to be executed in whole or in part upon receipt. Any portion not so executed is to be treated as cancelled.[4] SQF is an interface that is being introduced with the technology migration to a Nasdaq, Inc. (''Nasdaq'') supported architecture.[5] Today, Members may enter orders through FIX, DTI or Nasdaq Precise on MRX. After the migration to the INET architecture, Members will continue to be able to submit orders through FIX or Nasdaq Precise, as is the case today, and OTTO will also be available to enter orders. SQF will be available for Market Makers[6] to enter quotes and also Immediate-or-Cancel Orders. DTI will no longer be available.

With the introduction of SQF, the Exchange proposes to amend MRX Rule 715(b)(3) to state that an Immediate-or-Cancel order entered by a Market Maker through SQF will not be subject to the Limit Order Price Protection and Size Limitation Protection as defined in MRX Rule 714(b)(2) and (3). All other Immediate-or-Cancel Orders entered through FIX, OTTO or Nasdaq Precise will continue to be subject to these protections.

MRX Rule 714, entitled ''Automatic Execution of Orders,'' contains a section (b)(2) and (3) which applies to order protections that are automatically enforced by the System. The Limit Order Price Protection sets a limit on the amount by which incoming limit orders to buy may be priced above the Exchange's best offer and by which incoming limit orders to sell may be priced below the Exchange's best bid. Limit orders that exceed the pricing limit are rejected.[7] Immediate-or-Cancel Orders entered through SQF will not be subject to the Limit Order Price Protection provided in MRX Rule 714(b)(2).

MRX Rule 714(b)(3) provides a protection for size limitation. The System limits the number of contracts an incoming order may specify. Orders that exceed the maximum number of contracts are rejected.[8] Immediate-or-Cancel Orders entered through SQF will not be subject to this size limitation protection provided in MRX Rule 714(b)(3).

Implementation

The Exchange intends to begin implementation of the proposed rule change in Q3 2017. The MRX migration will be on a symbol by symbol basis as specified in an alert to Members that will be issued by the Exchange in the form of an Options Trader Alert. The alert will provide the dates that symbols will migrate to INET.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[9] in general, and furthers the objectives of Section 6(b)(5) of the Act,[10] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

With the adoption of the SQF protocol on INET, the Exchange will offer Market Makers the ability to expeditiously submit Immediate-or-Cancel orders through SQF, without having to involve a different protocol and method of entry such as FIX, OTTO or Nasdaq Precise. With the ability for Market Makers to utilize the SQF protocol to enter Immediate-or-Cancel Orders, in addition to having the ability to enter Immediate-or-Cancel Orders on FIX, OTTO or Nasdaq Precise, similar to other market participants, Market Makers may submit Immediate-or-Cancel Orders into SQF allowing them to manage risk utilizing a single protocol, SQF.

Unlike other market participants, Market Makers are required to provide liquidity to the market and are subject to certain obligations, including a requirement to provide continuous two-sided quotes on a daily basis.[11] Market Makers use Immediate-or-Cancel Orders to trade out of accumulated positions and manage their risk when providing liquidity on the Exchange. Proper risk management, including using these Immediate-or-Cancel Orders to offload risk, is vital for Market Makers, and allows them to maintain tight markets and meet their quoting and other obligations to the market. The Exchange believes that allowing Market Makers to submit Immediate-or-Cancel Orders though their preferred protocol will increase their efficiency in submitting such orders and thereby allow them to maintain quality markets to the benefit of all market participants that trade on the Exchange.

Miami International Securities Exchange LLC (''MIAX'') utilizes its MIAX Express Interface (MEI), a quoting interface, for market makers to enter immediate-or-cancel orders.[12] Specifically, MIAX noted in its Application for Registration as a National Securities Exchange, ''. . . MIAX would allow market makers to use a variety of quote types, some of which would have a specific time in force and would be analogous to orders (MIAX refers to such order types as ''eQuotes,'' and market makers would be able to enter these orders through their quotation infrastructure).'' [13] Furthermore, MIAX's Price Protection on Non-Market Maker Orders is not available for orders submitted by a Market Maker.[14] The Price Protection on Non-Market Maker Orders prevents an order from being executed at a price beyond the price designated in the

[4] *See* MRX Rule 715(b)(3). Immediate-or Cancel Orders do not route.

[5] *See* Securities Exchange Act Release No. 80815 (May 30, 2017), 82 FR 25827 (June 5, 2017) (SR–MRX–2017–02). INET is the proprietary core technology utilized across Nasdaq's global markets and utilized on The NASDAQ Options Market LLC (''NOM''), NASDAQ PHLX LLC (''Phlx'') and NASDAQ BX, Inc. (''BX'') (collectively, ''Nasdaq Exchanges''). The migration of MRX to the Nasdaq INET architecture would result in higher performance, scalability, and more robust architecture. With this system migration, the Exchange intends to adopt certain trading functionality currently utilized at Nasdaq Exchanges.

[6] The term ''market makers'' refers to ''Competitive Market Makers'' and ''Primary Market Makers'' collectively. *See* MRX Rule 100(a)(25).

[7] The limit is established by the Exchange from time-to-time for orders to buy (sell) as the greater of the Exchange's best offer (bid) plus (minus): (i) An absolute amount not to exceed $2.00, or (ii) a percentage of the Exchange's best bid/offer not to exceed 10%. *See* MRX Rule 714(b)(2).

[8] The maximum number of contracts, which shall not be less than 10,000, is established by the Exchange from time-to-time. *See* MRX Rule 714(b)(3).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *See* MRX Rule 804(e).

[12] MIAX offers an eQuote, which is a quote with a specific time in force that does not automatically cancel and replace a previous Standard quote or eQuote. An eQuote can be cancelled by the Market Maker at any time, or can be replaced by another eQuote that contains specific instructions to cancel an existing eQuote. *See* MIAX Rule 517(a)(2).

[13] *See* Securities Exchange Release Act No. 68341 (December 3, 2012), 77 FR 73065 (December 7, 2012) (File No. 10–207) (In the Matter of the Application of Miami International Securities Exchange, LLC for Registration as a National Securities Exchange: Findings, Opinion, and Order of the Commission).

[14] *See* MIAX Rule 515(c)(1).

order's price protection instructions, and is a similar protection to the Exchange's Limit Order Price Protection. The Exchange similarly believes that it is consistent with the Act to not apply certain protections to Market Maker Immediate-or-Cancel Orders submitted through SQF.

Market Makers handle a large amount of risk when quoting on MRX and in addition to the risk protections required by the Exchange, Market Makers utilize their own risk management parameters when entering orders, minimizing the likelihood of a Market Maker order resulting from an error from [sic] being entered. The Exchange believes that Market Makers, unlike other market participants, have the ability to manage their risk when submitting Immediate-or-Cancel Orders through SQF and should be permitted to elect this method of order entry to obtain efficiency and speed of order entry, particularly in light of the continuous quoting obligations the Exchange imposes on these participants. If Market Makers desire the Limit Order Protections and the Size Limitation Protections, they may utilize the FIX, OTTO or Nasdaq Precise protocols for entering their orders. The Exchange notes that Market Makers on Phlx may enter Immediate-or-Cancel Orders through SQF and are similarly not subject to certain risk protections today.[15] The Exchange represents that it will continue to assess the risk protections that are applied to orders, including Market Maker Immediate-or-Cancel Orders submitted through SQF, to ensure that adequate risk protections are available to members that trade on the Exchange. The Exchange will file to adopt additional risk protections in the event that the Exchange determines that such additional protections are appropriate in the interest of maintaining a fair and orderly market.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Market Makers handle a large amount of risk when quoting on MRX and in addition to the risk protections required by the Exchange, Market Makers utilize their own risk management parameters when entering orders, minimizing the likelihood of a Market Maker order resulting from an error from [sic] being entered. Market Makers also transact a large amount of orders on the Exchange and bring liquidity to the market. Market Makers should be permitted to elect this method of order entry to obtain efficiency and speed of order entry, particularly in light of the continuous quoting obligations the Exchange imposes on these members that are not applicable to other market participants. The Exchange therefore believes that this rule change will not impose an undue burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act[16] and subparagraph (f)(6) of Rule 19b–4 thereunder.[17]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–MRX–2017–11 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–MRX–2017–11. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–MRX–2017–11, and should be submitted on or before August 4, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2017–14754 Filed 7–13–17; 8:45 am]

BILLING CODE 8011–01–P

[15] *See* Securities and Exchange Release No. 76295 (October 29, 2015), 80 FR 68338 at 68339 (November 4, 2015) (SR–Phlx–2015–83) (Phlx noted in footnote 8 that while SQF permits the receipt of quotes, sweeps are not included for purposes of the Percentage Based risk protection in Rule 1095(i)). Phlx Rule 1080(c)(iii)(B) provides that, ''. . . Market Sweeps are processed on an immediate-or-cancel basis, may not be routed, may be entered only at a single price, and may not trade through away markets.''

[16] 15 U.S.C. 78s(b)(3)(A)(iii).

[17] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[18] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81112; File No. SR–NYSEMKT–2017–31]

Self-Regulatory Organizations; NYSE MKT LLC; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Adopt Rule 6900 To Establish the Procedures for Resolving Potential Disputes Related to CAT Fees Charged to Industry Members

July 10, 2017.

On May 16, 2017, NYSE MKT LLC. (''NYSE MKT'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt Rule 6900 (Consolidated Audit Trail—Fee Dispute Resolutions). The proposed rule change was published for comment in the **Federal Register** on June 1, 2017.[3] The Commission received no comment letters on the proposed rule change.

Section 19(b)(2) of the Act [4] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The Commission is extending this 45-day time period.

The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. The proposed rule change would establish the procedures for resolving potential disputes related to CAT Fees charged to Industry Members.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates August 30, 2017, as the date by which the Commission should either approve or disapprove or institute proceedings to determine whether to disapprove the proposed rule change (File Number SR–NYSEMKT–2017–31).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2017–14776 Filed 7–13–17; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 80782 (May 26, 2017), 82 FR 25379 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81108; File No. SR–ISE–2017–65]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Priority Customer Taker Fees for Regular Orders in Select Symbols

July 10, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 30, 2017, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Schedule of Fees, as described further below.

The text of the proposed rule change is available on the Exchange's Web site at *www.ise.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Schedule of Fees to make changes to the Priority Customer [3] taker fees for regular orders in Select Symbols,[4] as described in more detail below.

Currently, the Exchange charges a taker fee for regular orders in Select Symbols that is $0.44 per contract for Market Maker [5] orders, $0.45 per contract for Non-Nasdaq ISE Market Maker,[6] Firm Proprietary,[7] Broker-Dealer,[8] and Professional Customer [9] orders, and $0.40 per contract for Priority Customer orders. In addition, the Exchange charges a reduced Priority Customer taker fee of $0.35 per contract for regular orders in SPY, which is the most actively traded name on the Exchange.

The Exchange now proposes to further reduce the Priority Customer taker fee for regular orders in SPY from $0.35 per contract to $0.30 per contract. The Exchange also proposes to reduce the Priority Customer taker fee for QQQ, IWM and VXX from $0.40 per contract to $0.35 per contract. SPY, QQQ, IWM and VXX are some of the most actively traded names on the Exchange. As such, the Exchange believes that this reduction in fees will attract Priority Customer orders in those symbols to ISE. Finally, the Exchange proposes to increase the Priority Customer taker fee for regular orders in all other Select Symbols from $0.40 per contract to $0.44 per contract.

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] A ''Priority Customer'' is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in Nasdaq ISE Rule 100(a)(37A).

[4] ''Select Symbols'' are options overlying all symbols listed on the Nasdaq ISE that are in the Penny Pilot Program.

[5] The term ''Market Makers'' refers to ''Competitive Market Makers'' and ''Primary Market Makers'' collectively. See ISE Rule 100(a)(25).

[6] A ''Non-Nasdaq ISE Market Maker'' is a market maker as defined in Section 3(a)(38) of the Securities Exchange Act of 1934, as amended, registered in the same options class on another options exchange.

[7] A ''Firm Proprietary'' order is an order submitted by a member for its own proprietary account.

[8] A ''Broker-Dealer'' order is an order submitted by a member for a broker-dealer account that is not its own proprietary account.

[9] A ''Professional Customer'' is a person or entity that is not a broker/dealer and is not a Priority Customer.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[10] in general, and Section 6(b)(4) of the Act,[11] in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities.

The Exchange believes that it is reasonable and equitable to reduce the Priority Customer taker fee for regular orders in SPY, QQQ, IWM and VXX as the proposed fees are more favorable than those currently offered on the Exchange. The Exchange is targeting SPY, QQQ, IWM and VXX for this change as these are some of the most actively traded symbols on ISE. With this change, the Exchange will charge lower taker fees for Priority Customer orders in SPY, QQQ, IWM and VXX, thereby attracting additional order flow in these symbols to the benefit of all members that trade on the Exchange. Furthermore, the Exchange believes that it is equitable and not unfairly discriminatory to only offer this reduced taker fee to Priority Customer orders. A Priority Customer is by definition not a broker or dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). This limitation does not apply to participants on the Exchange whose behavior is substantially similar to that of market professionals, including Professional Customers, who will generally submit a higher number of orders than Priority Customers.

The Exchange believes that it is reasonable and equitable to increase the Priority Customer taker fee for regular orders in all other Select Symbols because the proposed fees will remain lower or be equal to other market participants that remove liquidity on the Exchange. In addition, the proposed increase will be offset by the lower taker fees proposed for Priority Customer orders in SPY, QQQ, IWM and VXX, which as noted above are some of the most actively traded names on ISE. The Exchange also notes that the increased fees proposed herein are still lower than the level of fees charged by one of the Exchange's competitors.[12] In addition, the Exchange believes that the proposed fee changes are equitable and not unfairly discriminatory because the increased Priority Customer taker fees will apply equally to all similarly-situated market participants.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[13] the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed fees remain competitive with those on other options markets, and will continue to attract order flow to the Exchange. The Exchange operates in a highly competitive market in which market participants can readily direct their order flow to competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and rebates to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed fee changes reflect this competitive environment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,[14] and Rule 19b–4(f)(2)[15] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–ISE–2017–65 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–ISE–2017–65. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–ISE–2017–65 and should be submitted on or before August 4, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2017–14755 Filed 7–13–17; 8:45 am]

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[10] 15 U.S.C. 78f.

[11] 15 U.S.C. 78f(b)(4).

[12] *See* C2 Options Exchange, Inc.'s Fee Schedule, Section 1: *http://www.cboe.com/publish/C2FeeSchedule/C2FeeSchedule.pdf.*

[13] 15 U.S.C. 78f(b)(8).

[14] 15 U.S.C. 78s(b)(3)(A)(ii).

[15] 17 CFR 240.19b–4(f)(2).

[16] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81109; File No. SR–GEMX–2017–28]

Self-Regulatory Organizations; Nasdaq GEMX, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Specify an Exception to the Manner in Which Market Maker Immediate-or-Cancel Orders Will Be Handled

July 10, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 27, 2017, Nasdaq GEMX, LLC (''GEMX'' or the ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend GEMX Rule 715(b)(3) to specify an exception to the manner in which Immediate-or-Cancel Orders are handled by the System when entered through the Specialized Quote Feed [3] (''SQF'') protocol.

The text of the proposed rule change is available on the Exchange's Web site at *www.ise.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] SQF is an interface that allows Market Makers to connect and send quotes, Immediate-or-Cancel Orders and auction responses into GEMX.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to amend GEMX Rule 715(b)(3) to specify the manner in which an Immediate-or-Cancel Order interacts with certain order protections when entered through SQF. An Immediate-or-Cancel Order is defined as a limit order that is to be executed in whole or in part upon receipt. Any portion not so executed is to be treated as cancelled.[4] SQF is an interface that was introduced with the technology migration to a Nasdaq, Inc. (''Nasdaq'') supported architecture.[5] Prior to the INET migration, Members entered orders through FIX, DTI or Nasdaq Precise on GEMX. Today, Members may continue to submit orders through FIX or Nasdaq Precise. OTTO became available to enter orders and SQF became available for Market Makers [6] to enter quotes and also Immediate-or-Cancel Orders. DTI was discontinued.

The Exchange proposes to amend GEMX Rule 715(b)(3) to clearly provide that, today, an Immediate-or-Cancel order entered by a Market Maker through SQF is not subject to the Limit Order Price Protection and Size Limitation Protection as defined in GEMX Rule 714(b)(2) and (3). All other Immediate-or-Cancel Orders entered through FIX, OTTO or Nasdaq Precise continue to be subject to these protections as was the case prior to the migration.

GEMX Rule 714, entitled ''Automatic Execution of Orders,'' contains a section (b)(2) and (3) which applies to order protections that are automatically enforced by the System. The Limit Order Price Protection sets a limit on the amount by which incoming limit orders to buy may be priced above the Exchange's best offer and by which incoming limit orders to sell may be priced below the Exchange's best bid. Limit orders that exceed the pricing limit are rejected.[7] Immediate-or-Cancel Orders entered through SQF are not subject to the Limit Order Price Protection provided in GEMX Rule 714(b)(2).

GEMX Rule 714(b)(3) provides a protection for size limitation. The System limits the number of contracts an incoming order may specify. Orders that exceed the maximum number of contracts are rejected.[8] Immediate-or-Cancel Orders entered through SQF are not subject to this size limitation protection provided in GEMX Rule 714(b)(3).

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[9] in general, and furthers the objectives of Section 6(b)(5) of the Act,[10] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

With the adoption of the SQF protocol on INET, the Exchange offered Market Makers the ability to expeditiously submit Immediate-or-Cancel orders through SQF, without having to involve a different protocol and method of entry such as FIX, OTTO or Nasdaq Precise. With the ability for Market Makers to utilize the SQF protocol to enter Immediate-or-Cancel Orders, in addition to having the ability to enter Immediate-or-Cancel Orders on FIX, OTTO or Nasdaq Precise, similar to other market participants, Market Makers are able to submit Immediate-or-Cancel Orders into SQF allowing them to manage risk utilizing a single protocol, SQF.

Unlike other market participants, Market Makers are required to provide liquidity to the market and are subject to certain obligations, including a requirement to provide continuous two-sided quotes on a daily basis.[11] Market Makers use Immediate-or-Cancel Orders to trade out of accumulated positions and manage their risk when providing liquidity on the Exchange. Proper risk management, including using these

[4] *See* GEMX Rule 715(b)(3). Immediate-or Cancel Orders do not route.

[5] *See* Securities Exchange Act Release No. 80011 (February 10, 2017), 82 FR 10927 (February 16, 2017) (SR–ISEGemini–2016–17). INET is the proprietary core technology utilized across Nasdaq's global markets and utilized on The NASDAQ Options Market LLC (''NOM''), NASDAQ PHLX LLC (''Phlx'') and NASDAQ BX, Inc. (''BX'') (collectively, ''Nasdaq Exchanges''). The migration of GEMX to the Nasdaq INET architecture resulted in higher performance, scalability, and more robust architecture. With the system migration, the Exchange adopted certain trading functionality currently utilized at Nasdaq Exchanges.

[6] The term ''market makers'' refers to ''Competitive Market Makers'' and ''Primary Market Makers'' collectively. *See* GEMX Rule 100(a)(25).

[7] The limit is established by the Exchange from time-to-time for orders to buy (sell) as the greater of the Exchange's best offer (bid) plus (minus): (i) An absolute amount not to exceed $2.00, or (ii) a percentage of the Exchange's best bid/offer not to exceed 10%. *See* GEMX Rule 714(b)(2).

[8] The maximum number of contracts, which shall not be less than 10,000, is established by the Exchange from time-to-time. *See* GEMX Rule 714(b)(3).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *See* GEMX Rule 804(e).

Immediate-or-Cancel Orders to offload risk, is vital for Market Makers, and allows them to maintain tight markets and meet their quoting and other obligations to the market. The Exchange believes that allowing Market Makers to submit Immediate-or-Cancel Orders though their preferred protocol will increase their efficiency in submitting such orders and thereby allow them to maintain quality markets to the benefit of all market participants that trade on the Exchange.

Miami International Securities Exchange LLC (''MIAX'') utilizes its MIAX Express Interface (MEI), a quoting interface, for market makers to enter immediate-or-cancel orders.[12] Specifically, MIAX noted in its Application for Registration as a National Securities Exchange, ''. . . MIAX would allow market makers to use a variety of quote types, some of which would have a specific time in force and would be analogous to orders (MIAX refers to such order types as ''eQuotes,'' and market makers would be able to enter these orders through their quotation infrastructure).'' [13] Furthermore, MIAX's Price Protection on Non-Market Maker Orders is not available for orders submitted by a Market Maker.[14] The Price Protection on Non-Market Maker Orders prevents an order from being executed at a price beyond the price designated in the order's price protection instructions, and is a similar protection to the Exchange's Limit Order Price Protection. The Exchange similarly believes that it is consistent with the Act to not apply certain protections to Market Maker Immediate-or-Cancel Orders submitted through SQF.

Market Makers handle a large amount of risk when quoting on GEMX and in addition to the risk protections required by the Exchange, Market Makers utilize their own risk management parameters when entering orders, minimizing the likelihood of a Market Maker order resulting from an error from [sic] being entered. The Exchange believes that Market Makers, unlike other market participants, have the ability to manage their risk when submitting Immediate-or-Cancel Orders through SQF and should be permitted to elect this method of order entry to obtain efficiency and speed of order entry, particularly in light of the continuous quoting obligations the Exchange imposes on these participants. If Market Makers desire the Limit Order Protections and the Size Limitation Protections, they may utilize the FIX, OTTO or Nasdaq Precise protocols for entering their orders. The Exchange notes that Market Makers on Phlx may enter Immediate-or-Cancel Orders through SQF and are similarly not subject to certain risk protections today.[15] The Exchange represents that it will continue to assess the risk protections that are applied to orders, including Market Maker Immediate-or-Cancel Orders submitted through SQF, to ensure that adequate risk protections are available to members that trade on the Exchange. The Exchange will file to adopt additional risk protections in the event that the Exchange determines that such additional protections are appropriate in the interest of maintaining a fair and orderly market.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change imposes any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Market Makers handle a large amount of risk when quoting on GEMX and in addition to the risk protections required by the Exchange, Market Makers utilize their own risk management parameters when entering orders, minimizing the likelihood of a Market Maker order resulting from an error being entered. Market Makers also transact a large amount of orders on the Exchange and bring liquidity to the market. Market Makers should be permitted to elect this method of order entry to obtain efficiency and speed of order entry, particularly in light of the continuous quoting obligations the Exchange imposes on these members that are not applicable to other market participants. The Exchange therefore believes that this rule change will not impose an undue burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [16] and Rule 19b-4(f)(6) thereunder.[17] Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.

The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange has stated that it is requesting this waiver to specify that when Market Makers submit Immediate-or-Cancel Orders through SQF, the Limit Order Price Protection in GEMX Rule 714(b)(2) and the Size Limitation Protection in GEMX Rule 714(b)(3) do not apply to those orders. The Exchange believes that Market Makers should be permitted to elect this method of order entry to obtain efficiency and speed of order entry, due to the continuous quoting obligations the Exchange places on Market Makers, unlike other market participants. Additionally the Exchange believes that Market Makers have the ability to manage their own risk when submitting Immediate-or-Cancel Orders through SQF. The Exchange represents that it will continue to assess the risk protections that are applied to orders and will file to adopt additional risk protections if it determines that such additional protections are appropriate in the interest of maintaining a fair and orderly market.

[12] MIAX offers an eQuote, which is a quote with a specific time in force that does not automatically cancel and replace a previous Standard quote or eQuote. An eQuote can be cancelled by the Market Maker at any time, or can be replaced by another eQuote that contains specific instructions to cancel an existing eQuote. See MIAX Rule 517(a)(2).

[13] *See* Securities Exchange Release Act No. 68341 (December 3, 2012), 77 FR 73065 (December 7, 2012) (File No. 10–207) (In the Matter of the Application of Miami International Securities Exchange, LLC for Registration as a National Securities Exchange: Findings, Opinion, and Order of the Commission).

[14] *See* MIAX Rule 515(c)(1).

[15] *See* Securities and Exchange Release No. 76295 (October 29, 2015), 80 FR 68338 at 68339 (November 4, 2015) (SR-Phlx-2015–83) (Phlx noted in footnote 8 that while SQF permits the receipt of quotes, sweeps are not included for purposes of the Percentage Based risk protection in Rule 1095(i)). Phlx Rule 1080(c)(iii)(B) provides that, ''. . . Market Sweeps are processed on an immediate-or-cancel basis, may not be routed, may be entered only at a single price, and may not trade through away markets.''

[16] 15 U.S.C. 78s(b)(3)(A)(iii).

[17] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

The Commission believes that waiver the 30-day operative delay is consistent with the protection of investors and the public interest because this waiver will enable the Exchange to permit Market Makers to utilize the SQF protocol to submit Immediate-or-Cancel Orders, thereby allowing Market Makers to manage their risk through a single protocol for entering orders and quotations and comply with their continuous quoting requirements. The Commission notes that Market Makers are sophisticated market participants that have alternative methods to manage risk and that the Exchange will continue to assess the need for additional risk protections that may be appropriate, including for Immediate-or-Cancel Orders submitted through SQF. For this reason, the Commission hereby waives the 30-day operative delay requirement and designates the proposed rule change as operative upon filing.[18]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[19] of the Act to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–GEMX–2017–28 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–GEMX–2017–28. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–GEMX–2017–28, and should be submitted on or before August 4, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2017–14756 Filed 7–13–17; 8:45 am]

BILLING CODE 8011–01–P

[18] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[19] 15 U.S.C. 78s(b)(2)(B).

[20] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81113; File No. SR–NYSEArca–2017–60]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change for a New NYSE Arca Rule 11.6900 and a New NYSE Arca Equities Rule 6.6900 To Establish the Procedures for Resolving Potential Disputes Related to CAT Fees Charged to Industry Members

July 10, 2017.

On May 16, 2017, NYSE Arca, Inc. (''NYSE Arca'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt NYSE Arca Rule 11.6900 and NYSE Arca Equities Rule 6.6900. The proposed rule change was published for comment in the **Federal Register** on June 1, 2017.[3] The Commission received no comment letters on the proposed rule change.

Section 19(b)(2) of the Act[4] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The Commission is extending this 45-day time period.

The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. The proposed rule change would establish the procedures for resolving potential disputes related to CAT Fees charged to Industry Members.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates August 30, 2017, as the date by which the Commission should either approve or disapprove or institute proceedings to determine whether to disapprove the proposed rule change (File Number SR–NYSEArca–2017–60).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2017–14777 Filed 7–13–17; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 80781 (May 26, 2017), 82 FR 25369 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81106; File No. SR–ISE–2017–63]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Eliminate Fees and Rebates for Trades in KANG Executed on June 27–30, 2017

July 10, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 27, 2017, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Schedule of Fees to eliminate fees and rebates for trades in iKang Healthcare Group Inc (''KANG'') executed on June 27–30, 2017.

The text of the proposed rule change is available on the Exchange's Web site at *www.ise.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Schedule of Fees to eliminate fees and rebates for trades in KANG executed on June 27–30, 2017.[3] This change is being made in connection with the migration of the Exchange's trading system to the Nasdaq INET technology, which began on June 12, 2017.[4] Earlier this month, the Exchange filed a proposed rule change that eliminated fees and rebates during the initial launch period for trades in FX Options that began trading on INET with the launch of the re-platformed trading system.[5] The Exchange now proposes to similarly eliminate fees and rebates for trades in KANG executed on the INET trading system from June 27–30, 2017. With this change, no fees or rebates will be charged for executions on INET during the month of June. Because the Exchange is eliminating fees and rebates for trades in KANG, during this period trades in KANG will not be counted towards a member's tier for June activity. The proposed change would allow the Exchange to bill June fees solely based on activity traded on the current T7 trading system, and is an inducement for members to trade the first symbols launched on the INET trading system as there would be no transaction fees for doing so.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[6] in general, and Section 6(b)(4) of the Act,[7] in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities.

The Exchange believes that it is reasonable and equitable to eliminate fees and rebates in KANG during the initial launch of the Exchange's re-platformed trading system. Eliminating fees and rebates in this symbol during the launch will simplify the Exchange's billing and serve as an inducement for members to trade the first symbols migrated to the INET trading system. Because the Exchange is offering free executions in this symbol, volume executed in KANG on June 27–30, 2017 will not be counted towards any volume based tiers. Similar treatment was afforded to the first symbol launched on the Nasdaq GEMX, LLC INET trading system,[8] and also to FX Options traded on ISE INET during the launch.[9] The Exchange believes that these two changes will be attractive to members that trade on the new INET trading system. The Exchange also believes that this proposed change is not unfairly discriminatory as it will apply to trades in KANG that are executed by all members. As noted above, KANG was selected for this treatment as this symbol, together with the Exchange's proprietary FX Options, will be the first symbols traded on the INET trading system.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[10] the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed change is intended to ease members' transition to the re-platformed INET trading system and is not designed to have any significant competitive impact. The Exchange operates in a highly competitive market in which market participants can readily direct their order flow to competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and rebates to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed fee changes reflect this competitive environment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,[11] and Rule 19b–4(f)(2)[12] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] KANG will begin trading on INET on June 27, 2017, and is a Non-Select Symbol. ''Non-Select Symbols'' are options overlying all symbols excluding Select Symbols.

[4] *See* Securities Exchange Act Release No. 80432 (April 11, 2017), 82 FR 18191 (April 17, 2017) (SR–ISE–2017–03).

[5] *See* SR–ISE–2017–59 (publication pending).

[6] 15 U.S.C. 78f.

[7] 15 U.S.C. 78f(b)(4).

[8] *See* Securities Exchange Act Release No. 80184 (March 9, 2017), 82 FR 13893 (March 15, 2017) (SR–ISEGemini–2017–09).

[9] *See* supra note 5.

[10] 15 U.S.C. 78f(b)(8).

[11] 15 U.S.C. 78s(b)(3)(A)(ii).

[12] 17 CFR 240.19b–4(f)(2).

interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–ISE–2017–63 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–ISE–2017–63. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–ISE–2017–63 and should be submitted on or before August 4, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2017–14753 Filed 7–13–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81110; File No. SR–NYSE–2017–24]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Adopt Rule 6900 To Establish the Procedures for Resolving Potential Disputes Related to CAT Fees Charged to Industry Members

July 10, 2017.

On May 16, 2017, New York Stock Exchange LLC (''NYSE'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt Rule 6900 (Consolidated Audit Trail—Fee Dispute Resolutions). The proposed rule change was published for comment in the **Federal Register** on June 1, 2017.[3] The Commission received no comment letters on the proposed rule change.

Section 19(b)(2) of the Act[4] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The Commission is extending this 45-day time period.

The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. The proposed rule change would establish the procedures for resolving potential disputes related to CAT Fees charged to Industry Members.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates August 30, 2017, as the date by which the Commission should either approve or disapprove or institute proceedings to determine whether to disapprove the proposed rule change (File Number SR–NYSE–2017–24).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2017–14775 Filed 7–13–17; 8:45 am]

BILLING CODE 8011–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36132]

WRL, LLC—Change in Operator Exemption—Western Washington Railroad, LLC

WRL, LLC (WRL), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to assume operations over 34.6 miles of rail line (the Line) between milepost 33C north of Rainier, Thurston County, Wash., and milepost 67.6 south of Chehalis, Lewis County, Wash.

WRL states that Western Washington Railroad, LLC (WWRR) currently operates the Line pursuant to a lease.[1] WRL states that it acquired the Line from City of Tacoma, Department of Public Works d/b/a Tacoma Rail after WWRR began leasing the Line.[2]

WRL states that it has reached an agreement with WWRR for WRL to replace WWRR as the exclusive operator of the Line upon the effective date of the notice.

WRL states that the proposed change in operator does not involve any provision or agreement that would limit future interchange with a third-party connecting carrier. WRL certifies that its projected annual revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier.

Under 49 CFR. 1150.42(b), a change in operator requires that notice be given to shippers. WRL certifies that it has

[13] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 80780 (May 26, 2017), 82 FR 25382 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

[1] *See W. Wash. R.R.—Lease & Operation Exemption—City of Tacoma, Dep't of Pub. Works,* FD 35921 (STB served July 29, 2015).

[2] *See WRL, LLC—Acquis. Exemption—City of Tacoma, Dep't of Pub. Works,* FD 36074 (STB served Oct. 14, 2016).

provided notice of the proposed change in operator to all known shippers on the Line.

The earliest this transaction can be consummated is July 30, 2017, the effective date of the exemption.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than July 21, 2017 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36132, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001. In addition, one copy of each pleading must be served on James H.M. Savage, 22 Rockingham Court, Germantown, MD 20874.

Board decisions and notices are available on our Web site at *WWW.STB.GOV.*

Decided: July 7, 2017.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Rena Laws-Byrum,

Clearance Clerk.

[FR Doc. 2017–14645 Filed 7–13–17; 8:45 am]

BILLING CODE 4915–01–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Fiscal Year 2018 Tariff-Rate Quota Allocations for Raw Cane Sugar, Refined and Specialty Sugar and Sugar-Containing Products

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: The Office of the United States Trade Representative (USTR) is providing notice of country-by-country allocations of the Fiscal Year (FY) 2018 (October 1, 2017 through Sept. 30, 2018) in-quota quantity of the tariff-rate quotas for imported raw cane sugar, certain sugars, syrups and molasses (also known as refined sugar), specialty sugar, and sugar-containing products.

DATES: This notice is effective on July 14, 2017.

FOR FURTHER INFORMATION CONTACT: Ronald Baumgarten, Office of Agricultural Affairs, (202) 395–9583 or *Ronald_Baumgarten@ustr.eop.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to Additional U.S. Note 5 to chapter 17 of the Harmonized Tariff Schedule of the United States (HTS), the United States maintains tariff-rate quotas (TRQs) for imports of raw cane sugar and refined sugar. Pursuant to Additional U.S. Note 8 to Chapter 17 of the HTS, the United States maintains a TRQ for imports of sugar-containing products.

Section 404(d)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3601(d)(3)) authorizes the President to allocate the in-quota quantity of a TRQ for any agricultural product among supplying countries or customs areas. The President delegated this authority to the United States Trade Representative under Presidential Proclamation 6763 (60 FR 1007).

On June 30, 2017, the Secretary of Agriculture (Secretary) announced the sugar program provisions for FY2018. *See* 82 FR 29822. The Secretary announced an in-quota quantity of the TRQ for raw cane sugar for FY2018 of 1,117,195 metric tons raw value (MTRV) (conversion factor: 1 metric ton = 1.10231125 short tons), which is the minimum amount to which the United States is committed under the World Trade Organization (WTO) Uruguay Round Agreements. USTR is allocating this quantity (1,117,195 MTRV) to the following countries in the amounts specified below:

Country	FY2018 Raw cane sugar allocations (MTRV)
Argentina	45,281
Australia	87,402
Barbados	7,371
Belize	11,584
Bolivia	8,424
Brazil	152,691
Colombia	25,273
Congo	7,258
Costa Rica	15,796
Cote d'Ivoire	7,258
Dominican Republic	185,335
Ecuador	11,584
El Salvador	27,379
Fiji	9,477
Gabon	7,258
Guatemala	50,546
Guyana	12,636
Haiti	7,258
Honduras	10,530
India	8,424
Jamaica	11,584
Madagascar	7,258
Malawi	10,530
Mauritius	12,636
Mexico	7,258
Mozambique	13,690
Nicaragua	22,114
Panama	30,538
Papua New Guinea	7,258
Paraguay	7,258
Peru	43,175
Philippines	142,160
South Africa	24,220
St. Kitts & Nevis	7,258
Swaziland	16,849
Taiwan	12,636
Thailand	14,743
Trinidad & Tobago	7,371
Uruguay	7,258
Zimbabwe	12,636

USTR based these allocations on the countries' historical shipments to the United States. The allocations of the in-quota quantities of the raw cane sugar TRQ to countries that are net importers of sugar are conditioned on receipt of the appropriate verifications of origin, and certificates for quota eligibility must accompany imports from any country for which an allocation has been provided.

On June 30, 2017, the Secretary also announced the establishment of the in-quota quantity of the FY2018 refined sugar TRQ at 182,000 MTRV for which the sucrose content, by weight in the dry state, must have a polarimeter reading of 99.5 degrees or more. This amount includes the minimum level to which the United States is committed under the WTO Uruguay Round Agreements (22,000 MTRV of which 1,656 MTRV is reserved for specialty sugar) and an additional 160,000 MTRV for specialty sugars. USTR is allocating the refined sugar TRQ as follows: 10,300 MTRV of refined sugar to Canada, 2,954 MTRV to Mexico, and 7,090 MTRV to be administered on a first-come, first-served basis.

Imports of all specialty sugar will be administered on a first-come, first-served basis in five tranches. The Secretary has announced that the total in-quota quantity of specialty sugar will be the 1,656 MTRV included in the WTO minimum plus an additional 160,000 MTRV. The first tranche of 1,656 MTRV will open on October 2, 2017. All types of specialty sugars are eligible for entry under this tranche. The second tranche of 48,000 MTRV will open on October 18, 2017. The third tranche of 48,000 MTRV will open on January 23, 2018. The fourth and fifth tranches of 32,000 MTRV each will open on April 17, 2018 and July 17, 2018, respectively. The second, third, fourth and fifth tranches will be reserved for organic sugar and other specialty sugars not currently produced commercially in the United States or reasonably available from domestic sources.

With respect to the in-quota quantity of 64,709 MTRV of the TRQ for imports

of certain sugar-containing products maintained under Additional U.S. Note 8 to chapter 17 of the HTS, USTR is allocating 59,250 MTRV to Canada. The remainder, 5,459 MTRV, of the in-quota quantity is available for other countries on a first-come, first-served basis.

Raw cane sugar, refined and specialty sugar and sugar-containing products for FY2018 TRQs may enter the United States as of October 2, 2017.

Robert E. Lighthizer

United States Trade Representative.

[FR Doc. 2017–14827 Filed 7–13–17; 8:45 am]

BILLING CODE 3290–F7–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2017–60]

Petition for Exemption; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of the FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number involved and must be received on or before August 3, 2017.

ADDRESSES: Send comments identified by docket number FAA–2017–0613 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at 202–493–2251.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lynette Mitterer, ANM–113, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98057–3356, email *Lynette.Mitterer@faa.gov,* phone (425) 227–1047; or Alphonso Pendergrass, ARM–200, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, email *alphonso.pendergrass@faa.gov,* phone (202) 267–4713.

This notice is published pursuant to 14 CFR 11.85.

Issued in Renton, Washington.

Victor Wicklund,

Manager, Transport Standards Staff.

Petition for Exemption

Docket No.: FAA–2017–0613.

Petitioner: The Boeing Company.

Section of 14 CFR Affected: § 25.807(g)(7).

Description of Relief Sought: Allow up to 200 passenger seats when a third pair of Type III exits are installed on the Boeing Model 737–8200, 737–9, and 737–900ER airplanes.

[FR Doc. 2017–14813 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Thirty Third RTCA SC–216 Aeronautical Systems Security Plenary

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

ACTION: Thirty Third RTCA SC–216 Aeronautical Systems Security Plenary.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of Thirty Third RTCA SC–216 Aeronautical Systems Security Plenary.

DATES: The meeting will be held July 24–28, 2017, 09:00 a.m.–05:00 p.m. All times are Central European Summer Time (UTC+2).

ADDRESSES: The meeting will be held at: Airbus Training Center, Hein-Saß-Weg 31, 21129 Hamburg (Finkenwerder), Germany.

FOR FURTHER INFORMATION CONTACT: Karan Hofmann at *khofmann@rtca.org* or 202–330–0680, or The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC, 20036, or by telephone at (202) 833–9339, fax at (202) 833–9434, or Web site at *http://www.rtca.org. Note:* Registration is required for building admittance.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., App.), notice is hereby given for a meeting of the Thirty Third RTCA SC–216 Aeronautical Systems Security Plenary. The agenda will include the following:

Monday, July 24, 2017—9:00 a.m.–5:00 p.m.

1. Welcome and Administrative Remarks
2. Introductions
3. Agenda Review
4. Meeting—Minutes Review
5. Review Joint Action List
6. Continuation of Plenary or Working Group Sessions

Tuesday, July 25, 2017—9:00 a.m.–5:00 p.m.

7. Continuation of Plenary or Working Group Sessions

Wednesday, July 26, 2017—9:00 a.m.–5:00 p.m.

8. Continuation of Plenary or Working Group Sessions

Thursday, July 27, 2017—9:00 a.m.–5:00 p.m.

9. Review DO–356A/ED–203A for Final Review and Comment (FRAC)/Open Consultation

Friday, July 28, 2017—9:00 a.m.–12:00 p.m.

10. Schedule Update
11. Decision To Approve Release of DO–356A/ED–203A for FRAC/Open Consultation
12. Date, Place and Time of Next Meeting
13. New Business
14. Adjourn Plenary

Attendance is open to the interested public but limited to space availability. With the approval of the chairman,

members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on July 11, 2017.

Mohannad Dawoud,

Management & Program Analyst, Partnership Contracts Branch, ANG–A17 NextGen, Procurement Services Division, Federal Aviation Administration.

[FR Doc. 2017–14798 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2017–0058]

Petition for Waiver of Compliance

Under part 211 of Title 49 of the Code of Federal Regulations (CFR), this provides the public notice that on June 22, 2017, the National Railroad Passenger Corporation (Amtrak) petitioned the Federal Railroad Administration (FRA) for a waiver from compliance with certain provisions of the Federal railroad safety regulations in Title 49 Code of Federal Regulations Part 238, *Passenger Equipment Safety Standards.* FRA assigned the petition docket number FRA–2017–0058.

Amtrak awarded a contract to car builder Construcciones y Auxiliar de Ferrocarriles (CAF) on August 23, 2010 for a fleet of 130 Long Distance Single Level (LDSL) passenger cars, composed of four car types. The contract presently calls for delivery of 70 baggage cars (61000 series) and 10 baggage-crew dormitory cars (69000 series) for Amtrak crew use, 25 dining cars (68000 series), and 25 sleeping cars (62500 series).

Amtrak requests relief for the LDSL passenger cars from the requirements of 49 CFR 238.131(b), *Safety System for Manual and Powered Side Doors—Propulsion Interlock,* for passenger cars beginning service after February 5, 2018. Amtrak states that some car deliveries for this procurement will fall after February 5, 2018, which is the effective date for this new regulation. It is projected that the 25 sleeping cars and 10 baggage-dormitory cars will be delivered after February 5, 2018. A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Ave. SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by August 28, 2017 will be considered by FRA before final action is taken. Comments received after that date will be considered if as practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacyNotice* for the privacy notice of *regulations.gov*.

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2017–14809 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2017–0036]

Petition for Waiver of Compliance

Under part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that on May 2, 2017, the Steelton and Highspire Railroad (SH) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 229.123, *Pilots snowplows, and end plates.* FRA assigned the petition Docket Number FRA–2017–0036.

SH requests relief from the requirement to equip locomotives with a pilot, snowplow, or end plate that measures 3 to 6 inches above the rail per the requirements of 49 CFR 229.123. SH is a terminal and switching railroad serving the ArcelorMittal steel plant located in Steelton, PA, performing yard switching service and interchange service with Norfolk Southern (NS) Railway. SH operates within the confines of the steel plant except for the interchange of cars with NS in a yard immediately adjacent to the plant boundary. Locomotive movements are limited to a maximum speed of 10 mph. SH operates six switcher locomotives, and has operated with such a waiver since February 1981. During that time, there have been no incidents related to the absence of end plates.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by August 28, 2017 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacyNotice* for the privacy notice of *regulations.gov.*

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2017–14808 Filed 7–13–17; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Departmental Offices; Debt Management Advisory Committee Meeting

Notice is hereby given, pursuant to 5 U.S.C. App. 2, Sec. 10(a)(2), that a meeting will be held at the Hay-Adams Hotel, 16th Street and Pennsylvania Avenue NW., Washington, DC, on August 1, 2017 at 11:15 a.m. of the following debt management advisory committee: Treasury Borrowing Advisory Committee of The Securities Industry and Financial Markets Association.

The agenda for the meeting provides for a charge by the Secretary of the Treasury or his designate that the Committee discuss particular issues and conduct a working session. Following the working session, the Committee will present a written report of its recommendations. The meeting will be closed to the public, pursuant to 5 U.S.C. App. 2, Sec. 10(d) and Public Law 103–202, Sec. 202(c)(1)(B) (31 U.S.C. Sec. 3121 note).

This notice shall constitute my determination, pursuant to the authority placed in heads of agencies by 5 U.S.C. App. 2, Sec. 10(d) and vested in me by Treasury Department Order No. 101–05, that the meeting will consist of discussions and debates of the issues presented to the Committee by the Secretary of the Treasury and the making of recommendations of the Committee to the Secretary, pursuant to Public Law 103–202, Sec. 202(c)(1)(B). Thus, this information is exempt from disclosure under that provision and 5 U.S.C. Sec. 552b(c)(3)(B). In addition, the meeting is concerned with information that is exempt from disclosure under 5 U.S.C. Sec. 552b(c)(9)(A). The public interest requires that such meetings be closed to the public because the Treasury Department requires frank and full advice from representatives of the financial community prior to making its final decisions on major financing operations. Historically, this advice has been offered by debt management advisory committees established by the several major segments of the financial community. When so utilized, such a committee is recognized to be an advisory committee under 5 U.S.C. App. 2, Sec. 3.

Although the Treasury's final announcement of financing plans may not reflect the recommendations provided in reports of the Committee, premature disclosure of the Committee's deliberations and reports would be likely to lead to significant financial speculation in the securities market. Thus, this meeting falls within the exemption covered by 5 U.S.C. Sec. 552b(c)(9)(A).

Treasury staff will provide a technical briefing to the press on the day before the Committee meeting, following the release of a statement of economic conditions and financing estimates. This briefing will give the press an opportunity to ask questions about financing projections. The day after the Committee meeting, Treasury will release the minutes of the meeting, any charts that were discussed at the meeting, and the Committee's report to the Secretary.

The Office of Debt Management is responsible for maintaining records of debt management advisory committee meetings and for providing annual reports setting forth a summary of Committee activities and such other matters as may be informative to the public consistent with the policy of 5 U.S.C. Sec. 552(b). The Designated Federal Officer or other responsible agency official who may be contacted for additional information is Fred Pietrangeli, Director for Office of Debt Management (202) 622–1876.

Dated: July 7, 2017.

Fred Pietrangeli,

Director (for Office of Debt Management).

[FR Doc. 2017–14621 Filed 7–13–17; 8:45 am]

BILLING CODE 4810–25–M

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple IRS Information Collection Requests

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before August 14, 2017 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.gov* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8142, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Jennifer Leonard by emailing *PRA@treasury.gov,* calling (202) 622–0489, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Internal Revenue Service (IRS)

Title: TD 8612 (PS–102–88)—Income, Gift and Estate Tax.

OMB Control Number: 1545–1360.

Type of Review: Extension without change of a currently approved collection.

Abstract: This regulation concerns the availability of the gift and estate tax marital deduction when the donee spouse or the surviving spouse is not a United States citizen. The regulation provides guidance to individuals or fiduciaries: (1) For making a qualified domestic trust election on the estate tax return of a decedent whose surviving spouse is not a United States citizen in order that the estate may obtain the marital deduction, and (2) for filing the annual returns that such an election may require.

Form: None.

Affected Public: Individuals or Households.

Estimated Total Annual Burden Hours: 6,150.

Title: Renewable Electricity, Refined Coal, and Indian Coal Production Credit.

OMB Control Number: 1545–1362.

Type of Review: Revision of a currently approved collection.

Abstract: Filers claiming the general business credit for electricity produced from certain renewable resources under Internal Revenue Code sections 38 and 45 must file Form 8835.

Form: 8835.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 8,720.

Title: Consent To Extend the Time To Assess Tax Under Section 367—Gain Recognition Agreement.

OMB Control Number: 1545–1395.

Type of Review: Extension without change of a currently approved collection.

Abstract: Form 8838 is used to extend the statute of limitations for U.S. persons who transfer stock or securities to a foreign corporation. The form is filed when the transferor makes a gain recognition agreement. This agreement allows the transferor to defer the payment of tax on the transfer. The IRS uses Form 8838 so that it may assess tax against the transferor after the expiration of the original statute of limitations.

Form: 8838.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 5,482.

Title: PS–268–82 (TD 8696) Definitions Under Subchapter S of the Internal Revenue Code.

OMB Control Number: 1545–1462.

Type of Review: Extension without change of a previously approved collection.

Abstract: The regulations provide definitions and special rules under Code section 1377 which affect S corporations and their shareholders.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 1,000.

Title: TD 8960 (Final)—Deductibility, Substantiation, and Disclosure of Certain Charitable Contributions.

OMB Control Number: 1545–1464.

Type of Review: Extension without change of a currently approved collection.

Abstract: The final regulation provides guidance regarding the allowance of certain charitable contribution deductions, the substantiation requirements for charitable contributions of $250 or more, and the disclosure requirements for quid pro quo contributions of $75 or more. These regulations will affect donee organizations and individuals and entities that make payments to donee organizations.

Form: None.

Affected Public: Individuals or Households.

Estimated Total Annual Burden Hours: 1,957,000.

Title: Certain Transfers of Domestic Stock or Securities by U.S. Persons to Foreign Corporations—INTL–9–95 (TD 8702—Final).

OMB Control Number: 1545–1478.

Type of Review: Extension without change of a currently approved collection.

Abstract: Transfers of stock or securities by U.S. persons in tax-free transactions are treated as taxable transactions when the acquirer is a foreign corporation, unless an exception applies (section 367(a)). Under the regulations, no U.S. person will qualify for an exception unless the U.S. target company complies with certain reporting requirements.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 1,000.

Title: TD 8855—Communications Excise Tax; Prepaid Telephone Cards (Previously REG–118620–97).

OMB Control Number: 1545–1628.

Type of Review: Extension without change of a previously approved collection.

Abstract: Carriers must keep certain information documenting their sales of prepaid telephone cards to other carriers to avoid responsibility for collecting tax. The regulations provide rules for the application of the communication excise tax to prepaid telephone cards.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 34.

Title: Paid Preparer's Due Diligence Checklist.

OMB Control Number: 1545–1629.

Type of Review: Extension without change of a currently approved collection.

Abstract: Form 8867 helps preparer's meet the due diligence requirements of Code section 6695(g), which was added by section 1085(a)(2) of the Taxpayer Relief Act of 1997. Paid preparer's of Federal income tax returns or claims for refund involving the earned income credit (EIC) must meet the due diligence requirements in determining if the taxpayer is eligible for the EIC and the amount of the credit. Failure to do so could result in a $510 penalty for each failure. Completion of Form 8867 is one of the due diligence requirements.

Form: 8867.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 17,824,793.

Title: TD 8853 (Final), Recharacterizing Financing Arrangements Involving Fast-Pay Stock.

OMB Control Number: 1545–1642.

Type of Review: Extension without change of a currently approved collection.

Abstract: Section 1.7701(I)–3 recharacterizes fast-pay arrangements. Certain participants in such arrangements must file a statement that includes the name of the corporation that issued the fast-pay stock, and (to the extent the filing taxpayer knows or has reason to know) the terms of the fast-pay stock, the date on which it was issued, and the names and taxpayer identification numbers of any shareholders of any class of stock that is not traded on an established securities market.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 50.

Title: Request for Recovery of Overpayments Under Arbitrage Rebate Provisions.

OMB Control Number: 1545–1750.

Type of Review: Extension without change of a currently approved collection.

Abstract: Under Treasury Regulations section 1.148–3(i), bond issuers may recover an overpayment of arbitrage

rebate paid to the United States under Internal Revenue Code section 148. Form 8038–R is used to request recovery of any overpayment of arbitrage rebate made under the arbitrage rebate provisions.

Form: 9038–R.

Affected Public: State, Local, and Tribal Governments.

Estimated Total Annual Burden Hours: 2,458.

Title: Revenue Procedure 2008–38, Revenue Procedure 2008–39, Revenue Procedure 2008–40, Revenue Procedure 2008–41, Revenue Procedure 2008–42.

OMB Control Number: 1545–1752.

Type of Review: Extension without change of a currently approved collection.

Abstract: RP 2008–40 allows issuers of life insurance contracts that have failed to meet the definition of life insurance contract under section 7702 or to satisfy the requirements of section 101(f) of the IRC to cure these contracts so that they do not fail section 7702 or section 101(f). RP 2008–38 allows issuers of variable contracts that have failed to meet the diversification requirements of section 817(h) to cure these contracts so that they do not fail section 817(h). RP 2008–39 allows issuers of life insurance contracts whose contracts have failed to meet the tests of section 7702A to cure these contracts that have inadvertently become modified endowment contracts. Rev. Proc. 2008–41 provides a procedure by which an issuer of a variable contract may remedy an inadvertent failure of a variable contract to meet the diversification requirements of section 817(h). RP 2008–42 provides guidance.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 5,950.

Title: TD 9327 (Final)—Disclosure of Returns and Return Information in Connection With Written Contracts or Agreements for the Acquisition of Property and Services for Tax Administration.

OMB Control Number: 1545–1821.

Type of Review: Extension without change of a currently approved collection.

Abstract: Final regulation clarifies that redisclosures of returns and return information by contractors to agents or subcontractors are permissible, and that the penalty provisions, written notification requirements, and safeguard requirements are applicable to these agents and subcontractors. Section 301.6103(n)–1(e)(3) of the regulations require that before the execution of a contract or agreement for the acquisition of property or services under which returns or return information will be disclosed, the contract or agreement must be made available to the IRS.

Form: None.

Affected Public: State, Local, and Tribal Governments.

Estimated Total Annual Burden Hours: 250.

Title: Entry of Taxable Fuel (REG–120616–03; TD 9346).

OMB Control Number: 1545–1897.

Type of Review: Extension without change of a currently approved collection.

Abstract: Treasury Decision 9346 contains final regulations relating to the tax on the entry of taxable fuel (gasoline, diesel fuel, and kerosene), into the United States. The final regulations affect enterers of taxable fuel, other importers, and certain sureties.

Section 4081(a)(1)(A)(iii) imposes a tax on the entry into the United States of any taxable fuel, for consumption, use, or warehousing. This collection of information allows certain importers of record and sureties to avoid liability for the tax on the entry of taxable fuel into the United

States. Section 48.4081 3(c)(2)(iii) provides that if an importer of record has an unexpired notification certificate (as described in § 48.4081 5) from the enterer and has no reason to believe that any information in the notification certificate is false, the importer of record will not be liable for the tax on the entry of taxable fuel. Section 48.4081–3(c)(2)(iv) provides that a Customs bond posted with respect to the importation of fuel will not be charged for the tax imposed on the entry of fuel if the enterer is a taxable fuel registrant. If a surety has an unexpired notification certificate (as described in § 48.4081–5) from the enterer and has no reason to believe that any information in the notification certificate is false, the surety bond will not be charged for the tax imposed on the entry of taxable fuel.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 281.

Title: Revenue Procedure 2004–47, Simplified Alternate Procedure for Making Late Reverse QTIP Election.

OMB Control Number: 1545–1898.

Type of Review: Extension without change of a currently approved collection.

Abstract: This revenue procedure provides a simplified alternate procedure (in lieu of requesting a letter ruling) for certain executors of estates and trustees of trusts to request relief to make a late reverse qualified terminable interest property (QTIP) election under section 2652 of the Code.

Form: None.

Affected Public: Individuals or Households.

Estimated Total Annual Burden Hours: 54.

Title: Revenue Procedure 2007–35—Statistical Sampling for Purposes of Section 199.

OMB Control Number: 1545–2072.

Type of Review: Extension without change of a currently approved collection.

Abstract: The revenue procedure provides for determining when statistical sampling may be used for purposes of Internal Revenue Code section 199, which provides a deduction for income attributable to domestic production activities, and establishes acceptable statistical sampling methodologies. The collection of information in the revenue procedure involves a recordkeeping requirement for taxpayers that use statistical sampling under section 199.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 2,400.

Title: Disclosure by Tax-Exempt Entity Regarding Prohibited Tax Shelter Transaction.

OMB Control Number: 1545–2078.

Type of Review: Extension without change of a currently approved collection.

Abstract: Certain tax-exempt entities are required to file Form 8886–T to disclose information for each prohibited tax shelter transaction to which the entity was a party.

Form: 8886–T.

Affected Public: Not-for-Profit institutions.

Estimated Total Annual Burden Hours: 70,395.

Title: Form 8879–EX, IRS e-file Signature Authorization for Forms 720, 2290, and 8849.

OMB Control Number: 1545–2081.

Type of Review: Extension without change of a currently approved collection.

Abstract: The Form 8879–EX, IRS e-file Signature Authorization for Forms 720, 2290, and 8849 is used in the Modernized e-File program. Form 8879–EX authorizes a taxpayer and an electronic return originator (ERO) to use a personal identification number (PIN) to electronically sign an electronic excise tax return and, if applicable, authorize an electronic funds withdrawal.

Form: 8879–EX.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 46,800.

Title: TD 9512 (Final)—Nuclear Decommissioning Funds.

OMB Control Number: 1545–2091.

Type of Review: Extension without change of a currently approved collection.

Abstract: Statutory changes under section 468A of the Internal Revenue Code permit taxpayers that have been subject to limitations on contributions to qualified nuclear decommissioning funds in previous years to make a contribution to the fund of the previously-excluded amount. The final regulation provides guidance concerning the calculation of the amount of the contribution and the manner of making the contribution.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 2,500.

Title: Loss on Subsidiary Stock—REG–157711–02 (TD 9424—Final).

OMB Control Number: 1545–2096.

Type of Review: Extension without change of a currently approved collection.

Abstract: This document contains final regulations under sections 358, 362(e)(2), and 1502 of the Internal Revenue Code (Code). The regulations apply to corporations filing consolidated returns, and corporations that enter into certain tax-free reorganizations. The regulations provide rules for determining the tax consequences of a member's transfer (including by deconsolidation and worthlessness) of loss shares of subsidiary stock. In addition, the regulations provide that section 362(e)(2) generally does not apply to transactions between members of a consolidated group. Finally, the regulations conform or clarify various provisions of the consolidated return regulations, including those relating to adjustments to subsidiary stock basis.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 25.

Title: (TD 9489) REG–118412–10—Interim Final Rules for Group Health Plans and Health Insurance Coverage Relating to Status as a Grandfathered Health Plan under the Patient Protection and Affordable Care Act.

OMB Control Number: 1545–2178.

Type of Review: Revision of a currently approved collection.

Abstract: This document contains final regulations implementing the rules for group health plans and health insurance coverage in the group and individual markets under provisions of the Patient Protection and Affordable Care Act regarding status as a grandfathered health plan.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 2,220.

Title: Patient Protection and Affordable Care Act Patient Protection Notice—Final Rule—(TD 9744).

OMB Control Number: 1545–2181.

Type of Review: Revision of a currently approved collection.

Abstract: The Patient Protection Notice is used by health plan sponsors and issuers to notify certain individuals of their right to (1) choose a primary care provider or a pediatrician when a plan or issuer requires participants or subscribers to designate a primary care physician; or (2) obtain obstetrical or gynecological care without prior authorization.

Form: None.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 5,173.

Title: Form 8946, PTIN Supplemental Application for Foreign Persons Without a Social Security Number.

OMB Control Number: 1545–2189.

Type of Review: Revision of a currently approved collection.

Abstract: Paid preparers that are nonresident aliens and cannot get a social security number will need to establish their identity prior to getting a Preparer Tax Identification Number (PTIN). Form 8946 is being created to assist that population with establishing their identity while applying for a PTIN.

Form: 8946.

Affected Public: Individuals or Households.

Estimated Total Annual Burden Hours: 20,584.

Title: Tax Credit for Employee Health Insurance Expenses of Small Employers.

OMB Control Number: 1545–2198.

Type of Review: Extension without change of a currently approved collection.

Abstract: Section 45R of the Internal Revenue Code (Code) offers a tax credit to certain small employers that provide insured health coverage to their employees. Section 45R was added to the Code by section 1421 of the Patient Protection and Affordable Care Act, enacted March 23, 2010, Public Law 111–148 (as amended by section 10105(e) of the Patient Protection and Affordable Care Act, which was amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. 111–152 (124 Stat. 1029)) (collectively, the ''Affordable Care Act''). Eligible small employers use Form 8941 to figure the credit for small employer health insurance premiums for tax years.

Form: 8941.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 34,278,346.

Title: Reinstatement and Retroactive Reinstatement for Reasonable Cause (Rev. Proc. 2014–11) and Transitional Relief for Small Organizations (Notice 2011–43) under IRC § 6033(j).

OMB Control Number: 1545–2206.

Type of Review: Extension without change of a currently approved collection.

Abstract: This revenue procedure provides procedures for reinstating the tax-exempt status of organizations that have had their tax-exempt status automatically revoked under section 6033(j) of the Internal Revenue Code for failure to file required annual returns or notices for three consecutive years. The revenue procedure prescribes certain circumstances under which an organization can have its tax-exempt status retroactively reinstated to the date of revocation. Notice 2011–44 is modified. Notice 2011–44 provides guidance with respect to applying for reinstatement of tax-exempt status and requesting retroactive reinstatement under sections 6033(j)(2) and (3) of the Internal Revenue Code for an organization that has had its tax-exempt status automatically revoked under section 6033(j)(1) of the Code. The Treasury Department and the Internal Revenue Service intend to issue regulations under section 6033(j) that will prescribe rules relating to the application for reinstatement of tax-exempt status under section 6033(j)(2) and the request for retroactive reinstatement under section 6033(j)(3). Notice 2011–43 provides transitional relief for certain small organizations that have lost their tax-exempt status because they failed to file a required annual electronic notice (Form 990–N e-Postcard) for taxable years beginning in 2007, 2008 and 2009. A small organization—that is, one that normally has annual gross receipts of not more than $50,000 in its most recently completed taxable year that qualifies for the transitional relief under this notice and applies for reinstatement of tax-exempt status by December 31, 2012,

will be treated by the Internal Revenue Service as having established reasonable cause for its filing failures and its tax-exempt status will be reinstated retroactive to the date it was automatically revoked.

Form: None.

Affected Public: Not-for-profit institutions.

Estimated Total Annual Burden Hours: 6,206.

Title: Volunteer Income Tax Assistance (VITA) and Tax Counseling for the Elderly (TCE) Programs.

OMB Control Number: 1545–2222.

Type of Review: Revision of a currently approved collection.

Abstract: The Internal Revenue Service offers free assistance with tax return preparation and tax counseling using specially trained volunteers. The Volunteer Income Tax Assistance (VITA) and Tax Counseling for the Elderly (TCE) programs assist seniors and individuals with low to moderate incomes, those with disabilities, and those for whom English is a second language. Using these forms will provide consistent information that is needed when potential VITA/TCE volunteers submit their interest in volunteering to represent the IRS when they prepare tax returns during filing season.

Forms: 14310, 9653, 8654, 14204, 13715, and 13206.

Affected Public: Individuals or Households, Not-for-profit institutions.

Estimated Total Annual Burden Hours: 16,067.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: July 11, 2017.

Jennifer P. Leonard,

Treasury PRA Clearance Officer.

[FR Doc. 2017–14823 Filed 7–13–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

VA Prevention of Fraud, Waste, and Abuse Advisory Committee; Notice of Establishment

As required by Section 9(a)(2) of the Federal Advisory Committee Act, the Department of Veterans Affairs hereby gives notice of the establishment of the VA Prevention of Fraud, Waste, and Abuse Advisory Committee (Committee). The Secretary of Veterans Affairs has determined that establishing the Committee is both necessary and in the public interest.

The Committee will advise the Secretary and the Assistant Secretary for Management and Chief Financial Officer on matters related to improving and enhancing VA's efforts to identify, prevent, and mitigate fraud, waste, and abuse across VA in order to improve the integrity of VA's payments and the efficiency of VA's programs and activities.

Committee members will be appointed by the Secretary and membership will be drawn from various sectors and organizations including but not limited to Veteran-focused organizations, academic communities, health care providers, insurance providers, other Federal agencies, former Federal Inspectors General, Veteran Service Organizations, Military Service Organizations, and leaders of key stakeholder associations and organizations.

Any member of the public seeking additional information should contact Gregory Woskow, Designated Federal Officer (DFO), Department of Veterans Affairs, 810 Vermont Avenue NW., Room 446D, Washington, DC, or email at *Gregory.Woskow@va.gov;* or via phone at (720) 471–1235.

Dated: July 10, 2017.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2017–14780 Filed 7–13–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF VETERANS AFFAIRS

Solicitation of Nominations for Appointment to the VA Prevention of Fraud, Waste, and Abuse Advisory Committee

ACTION: Notice.

SUMMARY: The Department of Veterans Affairs (VA) is seeking nominations of qualified candidates to be considered for appointment to the VA Prevention of Fraud, Waste, and Abuse Advisor Committee (herein-after in this section referred to as ''the Committee'').

DATES: Nominations for membership on the Committee must be received no later than 5:00 p.m. EST on July 24, 2017.

ADDRESSES: All nominations should be sent electronically to the Advisory Committee Management Office mailbox at *vaadvisorycmte@va.gov.*

FOR FURTHER INFORMATION CONTACT: Gregory Woskow, Designated Federal Officer, Office of Finance, Department of Veterans Affairs, 810 Vermont Avenue NW., (047), Washington, DC 20420, telephone (720) 471–1255.

SUPPLEMENTARY INFORMATION: In carrying out the duties set forth, the activities of the Committee include, but are not limited to:

(1) Identifying best practices and lessons learned from private industry and other Federal agencies that VA can leverage to maximize the effectiveness and efficiency of Department-wide activities to detect and prevent fraud, waste, and abuse in VA programs at significant risk;

(2) Providing advice on leveraging cutting-edge fraud detection and prevention tools and technologies used by other Federal agencies and private industry, including the identification of ways to utilize such tools in the short-term, as well as in the future, given VA's current Financial Management Business Transformation break-thru initiative; and

(3) Providing advice on leveraging partnerships and experience to assist in maximizing the efficiency and effectiveness of VA's ''Seek to Prevent Fraud, Waste, and Abuse (STOP FWA)'' initiative, which is designed to increase activities that prevent fraud, waste, and abuse and to reduce improper payments.

Authority: The Committee is being established by the directive of the Secretary of VA, in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2. The Committee will provide the Secretary of Veterans Affairs with advice related to improving and enhancing VA's efforts to identify, prevent, and mitigate fraud, waste, and abuse across VA in order to improve the integrity of VA's payments and the efficiency of VA's programs and activities.

Membership Criteria and Qualifications: VA is seeking nominations for Committee membership. The Committee is composed of twelve members and several ex-officio members.

The members of the Committee are appointed by the Secretary of Veteran Affairs from the general public, from various sectors and organizations, including but not limited to:

a. Veteran-focused organizations;
b. Academic communities;
c. Health care providers;
d. Other Federal agencies;
e. Insurance;
f. Former Inspectors General;
g. Veteran Service Organizations;
h. Military service organizations;
i. Academic communities; and
j. Leaders of key stakeholder associations and organizations.

In accordance with the Committee Charter, the Secretary shall determine the number, terms of service, and pay and allowances of Committee members, except that a term of service of any such member may not exceed two years. The

Secretary may reappoint any Committee member for additional terms of service.

To the extent possible, the Secretary seeks members who have diverse professional and personal qualifications including but not limited to subject matter experts in the areas described above. We ask that nominations include any relevant experience information so that VA can ensure diverse Committee membership.

Requirements for Nomination Submission

Nominations should be typed (one nomination per nominator). Nomination package should include:

(1) A letter of nomination that clearly states the name and affiliation of the nominee, the basis for the nomination (*i.e.* specific attributes which qualify the nominee for service in this capacity), and a statement from the nominee indicating the willingness to serve as a member of the Committee;

(2) The nominee's contact information, including name, mailing address, telephone numbers, and email address;

(3) The nominee's curriculum vitae; and

(4) A summary of the nominee's experience and qualifications relative to the membership considerations described above.

Individuals selected for appointment to the Committee shall be invited to serve a two-year term. Committee members will receive a stipend for attending Committee meetings, including per diem and reimbursement for eligible travel expenses incurred.

The Department makes every effort to ensure that the membership of VA Federal advisory committees is diverse in terms of points of view represented and the committee's capabilities. Appointments to this Committee shall be made without discrimination because of a person's race, color, religion, sex, sexual orientation, gender identify, national origin, age, disability, or genetic information. Nominations must state that the nominee is willing to serve as a member of the Committee and appears to have no conflict of interest that would preclude membership. An ethics review is conducted for each selected nominee.

Dated: July 10, 2017.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2017–14783 Filed 7–13–17; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 82 Friday,
No. 134 July 14, 2017

Part II

The President

Executive Order 13804—Allowing Additional Time for Recognizing Positive Actions by the Government of Sudan and Amending Executive Order 13761

Federal Register
Vol. 82, No. 134
Friday, July 14, 2017

Presidential Documents

Title 3—

The President

Executive Order 13804 of July 11, 2017

Allowing Additional Time for Recognizing Positive Actions by the Government of Sudan and Amending Executive Order 13761

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201–7211), the Comprehensive Peace in Sudan Act of 2004, as amended (Public Law 108–497), the Darfur Peace and Accountability Act of 2006 (Public Law 109–344), and section 301 of title 3, United States Code,

I, DONALD J. TRUMP, President of the United States of America, in order to take additional steps to address the emergency described in Executive Order 13067 of November 3, 1997, Executive Order 13412 of October 13, 2006, and Executive Order 13761 of January 13, 2017, with respect to the policies and actions of the Government of Sudan, including additional fact-finding and a more comprehensive analysis of the Government of Sudan's actions, hereby order as follows:

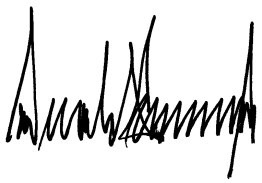
Section 1. *Amendments to Executive Order 13761.* (a) Section 1 of Executive Order 13761 is hereby amended by striking ''July 12, 2017'' and inserting in lieu thereof ''October 12, 2017''.

(b) Section 10 of Executive Order 13761 is hereby amended by striking ''July 12, 2017'' and inserting in lieu thereof ''October 12, 2017''.

(c) Subsection (b) of section 12 of Executive Order 13761 is hereby amended by striking ''July 12, 2017'' and inserting in lieu thereof ''October 12, 2017''.

(d) Section 11 of Executive Order 13761 is hereby revoked.

Sec. 2. *General Provision.* This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
July 11, 2017.

[FR Doc. 2017–14992
Filed 7–13–17; 11:15 am]
Billing code 3295–F7–P

Reader Aids

Federal Register

Vol. 82, No. 134

Friday, July 14, 2017

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FEDERAL REGISTER PAGES AND DATE, JULY

30721–30946 3
30947–31240 5
31241–31428 6
31429–31714 7
31715–31886 10
31887–32122 11
32123–32226 12
32227–32446 13
32447–32612 14

CFR PARTS AFFECTED DURING JULY

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

2 CFR

Proposed Rules:
Ch. VI 32493

3 CFR

Executive Orders:
12675 (Superseded by EO 13803)
13761 (Amended by 13804) 32611
13803 31429
13804 32611
Administrative Orders:
Memorandums:
Memorandum of June 29, 2017 31237
Memorandum of June 29, 2017 31239

5 CFR

1800 32447
Proposed Rules:
630 32263

7 CFR

205 31241
956 31244

8 CFR

103 31887
212 31887
274a 31887

9 CFR

557 30721

10 CFR

72 31433
429 ..... 31890, 32227
430 32227
431 ..... 31808, 31890
1703 30722
Proposed Rules:
72 31512

12 CFR

1024 30947
1026 30947
1101 30724
Proposed Rules:
704 30774
930 30776
932 30776
1277 30776
1282 ..... 31009, 31514

14 CFR

13 31440
39 ..... 30949, 30953, 30955, 30958, 30961, 31245, 31250, 31892, 31899, 31901, 32447
71 ..... 30964, 31440, 32450
97 ..... 32228, 32230
1264 32123
1271 32123
Proposed Rules:
23 30798
33 30800
39 ..... 30802, 31535, 32494, 32496, 32498, 32501, 32503, 32507
71 ..... 31030, 31031, 31033, 31034, 32149, 32151
73 30805

15 CFR

742 31442
744 31442
772 31442
774 31442

16 CFR

1 30966
803 32123
Proposed Rules:
1245 31035

19 CFR

4 32232
10 32232
12 32452
18 32232
113 32232
122 32232
123 32232
141 32232
191 32232
192 32232
Proposed Rules:
101 30807

21 CFR

1 30730
11 30730
73 30731
101 30730
1308 32453
1310 32457
Proposed Rules:
1308 32153

22 CFR

Proposed Rules:
Ch. I 32493

24 CFR

982 ..... 32461, 32463
983 ..... 32461, 32463

26 CFR

Proposed Rules:
1 32281

28 CFR

Proposed Rules:
Ch. XI.....32493

29 CFR

1910.....31252
4022.....32463

Proposed Rules:
2509.....31278
2510.....31278
2550.....31278

30 CFR

938.....31715

31 CFR

Proposed Rules:
1010.....31537

32 CFR

706.....30967, 31717

33 CFR

100 .....31449, 31903, 32135, 32241
117 .....30735, 30736, 30968, 31253, 31254, 31255, 31906, 31907, 32464
165 .....30736, 30739, 30741, 30743, 30745, 30969, 30971, 30973, 31255, 31257, 31260, 31450, 31452, 31454, 31455, 31719, 31903, 31908, 32135, 32242, 32244, 32246, 32247, 32465, 32467, 32469, 32472

Proposed Rules:
Ch. I.....31545, 31928, 32510, 32513, 32514, 32515
100.....31733
117.....31036, 32157

34 CFR

104.....31910
105.....31910
200.....31690
222.....31910
299.....31690
300.....31910
361.....31910
373.....31910
385.....31910
668.....30975, 31910
674.....31910

38 CFR

74.....32137

39 CFR

233.....32474

Proposed Rules:
3010.....31736
3050.....31929, 31930

40 CFR

52 .....30747, 30749, 30758, 30767, 30770, 30976, 31457, 31458, 31462, 31464, 31722, 31913, 31916, 32474, 32480
81.....30976, 31722
180 .....30979, 30982, 30987, 30990, 30993, 31468, 31471, 31722, 32482
271.....32249, 32253
300.....31263
441.....30997
770.....31267, 31922

Proposed Rules:
52 .....30809, 30812, 30814, 30815, 31546, 31547, 31736, 31739, 31741, 31931, 32282, 32284. 32287, 32294, 32517
62.....32301
261.....32519
271 .....32303, 32304, 32305
300.....31281
770.....31932

42 CFR

71.....31728
405.....32256
409.....31729, 32256
410.....31729
418.....31729
431.....31158, 32256
440.....31729
447.....32256
457.....31158
482.....32256
483.....32256
484.....31729
485.....31729, 32256
488.....31729, 32256
489.....32256

Proposed Rules:
88.....32312
413.....31190
414.....31190

43 CFR

8360.....31268

46 CFR

Ch. I.....32488

Proposed Rules:
Ch. I (5 documents).....31545, 31928, 32510, 32511, 32513, 32514, 32515
Ch. III.....31545, 31928, 32510, 32514, 32515

47 CFR

1.....32260
25.....32260
36.....32489
73.....32260
74.....32260
90.....31270

Proposed Rules:
1.....31282
32.....31282
64.....31743
65.....31282

48 CFR

Proposed Rules:
6.....32493

49 CFR

269.....31476
578.....32139, 32140
1152.....30997
1300.....31271

Proposed Rules:
Ch. IV 31545, 31928, 32510, 32511, 32513, 32514, 32515

50 CFR

622.....31489, 31924
635.....32490
648.....31491, 32145
660.....31494
679.....31925, 32262

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List June 30, 2017

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